

IRISH: ORATORS  
AND: ORATORY  
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IRISH ORATORS  
AND ORATORY







Famous Irish Orators

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## IRISH ORATORS AND ORATORY



WITH AN INTRODUCTION  
BY PROFESSOR T. M. KETTLE

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## INTRODUCTION.

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Every anthologist, even the worst, is in the afflicting position of that antique sophist, the fore-runner of all the tribe of company-promoters, who spent so much of his life trying to sell a house on the basis of a specimen brick. In the region of poetry which is, of its very nature, an exaltation, as brief as it is intense, he may avoid abject failure. In prose literature, too, the prospector may hope to come upon passages, quintessential and yet true to type, which can be broken off from the central mass without losing their character. Your author and worker in print has this further advantage: he writes for the individual, and the spiritual values in which he trades are, if not universal, at least partly stripped of localism and transience. But oratory is, by contrast, complex, diffuse, netted beyond release in impermanent details. Its triumph is of the moment, momentary. The sound and rumour of great multitudes, passions hot as ginger in the mouth, torches, tumultuous comings and goings, and, riding through the whirlwind of it all, a personality, with something about him of the prophet, something of the actor, a touch of the charlatan, crying out not so much with his own voice as with that of his multitude, establishing with a gesture, refuting with a glance, stirring ecstasies of hatred and affection—is not that a common, and far from fantastic, conception



of the orator ? But when the fire is become ashes and the orator too ; when the crowd no longer collaborates ; when the great argument that transfigured them is a paragraph in a text book, yawned over by schoolboys, the task of the resurrectionist verges on the impossible.

The material difficulties are in themselves formidable. Fragmentary reports, exanimate reports, no reports at all, or none beyond a chance phrase, come down by tradition, make up the baggage of achievement with which many of the masters of the spoken word confront posterity. But there are difficulties of another, and more serious order. The public are agreed that speeches in general, however well recorded, make dull reading. That is a dictum which has filtered down from Fox to O'Connell, and Gladstone, and Disraeli, and Lord Roseberry. But it is only partially true. To the dull all things are dull. Readers immersed in the particular and the present, and devoid of historical imagination, turn aside with very natural ennui from the printed eloquence of dead men. But they turn aside just as brusquely from every other innuendo of the soul. What does that prove, except that a dumpling is always a dumpling ?

Oratory is at once the expression and the chronicle of that creative stress which has shaped the course of political development in every parliamentary country. In Ireland that is certainly the case. The evolution of the national idea, in and through a succession of great social movements, is the characteristic phenomenon of Ireland in the modern period. Anybody who desires to understand that process must employ as his central source the speeches of Grattan, O'Connell, Butt, Parnell, Mr Red-

mond and their contemporaries. The research specialist who now writes history for us is disposed to undervalue oratory. He is passionate for documents, Custom House records, tables of statistics, the Statute Book, newspapers, pamphlets, broadsheets. He is all for what he calls facts, but facts do not explain themselves. Without contemporary testimony to their significance they remain blind or rather dead, and of the witnesses to whom appeal may be made the orator is by no means the least informative. He represents the warm thought of his time, as the newspaper represents generally the tepid criticism, and the Act of Parliament the cold performance. This is true even in economic history which, most of all, is set down as a matter of averages, percentages, and other bloodless actualities. Grattan on the Commercial Propositions and the Corn Laws, O'Connell on Free Trade and the Poor Law, Butt, Davitt and Mr. Dillon on the land system, Mr. Devlin on the Irish problem of poverty bring one closer to the focus of reality than much bemused grubbing in Blue Books. As for the economic substratum of the Act of Union, by far the amplest and most accurate account of it is to be found in the Parliamentary debates, especially in the speeches of Sir John Foster on the one side and Lord Castlereagh on the other.

From the Irish orators, then, there is much matter to be heard and learned. As workers in a difficult and potent art they vary widely in accomplishment. A great speech must have in it passion, structure, and beauty. The balance of these three qualities which constitutes perfection of form is less ardently pursued by one than by another. It is to a great extent controlled by outer conditions. When

you compare Grattan with O'Connell for instance, you must remember that the typical *mise-en-scène* of the one is a Chamber, courtly of aspect, powdered, rapiered, and classical, and that of the other a roaring multitude of disinherited peasants, met on some windy hill. O'Connell indeed is the pioneer in all Western countries of the open-air meeting, as he is of the democratic agitation in general. The physical strain of speaking in such circumstances is so exacting that delicacy of form must needs be sacrificed. Platform oratory runs inevitably to set phrases, *clichés*, and the roll of standardised perorations. Assemblies of the kind are rather parades or demonstrations than discussions. The dainty egotism of certain young men among us—' literary ' men, if only by the baptism of desire—leads them to cry down O'Connell and his successors as a tribe of demagogues. The thunders of the Titan were often vulgar. He fondled and, as we say, "soothered" his crowd too copiously at times; he was content to be right in the gross and was little troubled at being wrong by retail. But he took his people by the twenty and the two hundred thousand, and shouted slaves into the status of manhood.

I am indebted to a personal friend for the following account of the pre-Edisonian megaphone, by which the Liberator was able to transmit his speech to the uttermost fringe of great gatherings, like those of Tara and Mullaghmast. It is a fascinating footnote to history:—

Many times have I heard debated the "possibility" of Dan O'Connell making himself audible and understood by the vast multitudes he drew to Mullaghmast and Tara. In the closing of the eighties, falling in with an



old man who said that he had been in Tara the day of the "big meetin'," I asked how it happened and what it was like. "I was going there and all the world was going to Tara Hill to hear the Liberator. I went too, and on the road I met an ould ancient man, who was bending towards the same direction. When we got to the hill, it was black with people and we could not get near." Then I said, "did you not hear the speech?" "Oh, begorra we did—every word. It was this way. The people said there was half a million of men, not counting women. It was a mighty gathering. Everybody heard Dan. For Dan raised his hand and told all about the platform to repeat his words. He said, 'Silence,' and silence came out to us as the wind upon the barley. Then each man spoke after Dan, and every other man said the words, and out to us all on the edge of the crowd came the speech of Dan O'Connell."

With Grattan the conditions under which mastery was achieved were very different, and he used them according to their nature. His oratory is a continuing miracle. His natural speech was made up of what Lecky has admirably called the "very proverbs of freedom." He is always central, always creative. A good politician and Parliament man, he was not : he committed the two deadly sins which are to sulk and to retire. But living, as he did, neighbour to the sun, he touched with fire the lips and the heart of Ireland ; fusing old with new, he made her a nation. Except in his quarrel with Flood, in which each dragged the other for a moment into the ditch, his form never dwarfs or crookens his matter. The epigram is always a perilous triumph : no man ever made more or

better, or ever held them so strongly under the rein of an unbroken continuity of argument. The "proud, full sail" of the Grattan utterance is as noble and individual in its way as that of Shakespeare himself. There is as rich political wisdom in him as in Burke. If this characterisation be thought extravagant there is but one answer to the dissenter: let him read Grattan.

Flood by contrast is always the Chancery lawyer, gradual, deliberate, not to be stayed and not to be hurried. In the English Parliament his iciness froze his reputation to death. The flash-point of his passion is, in truth, very high, but when kindled, as by the challenge of the Volunteer idea, he burns with concentrated intensity. Curran is hardly less miraculous than Grattan. Through the Assize of Blood that fierce peasant, with the coal-black hair and the lit coals of eyes, so like Robert Burns and so unlike him, moves like the appointed warden of freedom and all humanity. He, too, ought to be read in full in the edition of his speeches prepared by Davis. The introduction is Davis's most mature and released expression of himself: it flashes like naked swords; it is acquainted with the griefs that burden men, even the free; it exults like a trumpet. All Curran is in it, and all Davis.

In later years Butt restores beauty, and a rare lucid magic, to a speech that had been somewhat battered in the wars. Butt should have been a god, and dwelt apart. He possessed a prose as intimate, and flexible as that of Goldsmith: whether he touched economics, philosophy, romance, or politics he never missed the key of his subject. Parnell spoke like an invoice, definite to the third decimal point, and final. His language, in any emotional stress

that caught him, political or private, was far inferior to his personality. He died with half his music in him. Davitt impresses one as a workman of genius eager to get on with the business in hand. There is so much to do that he has no time to pick and choose. Any words that happen to be lying about will serve : he flings them rapidly together with savage sincerity, and hurries on to new labours. Of contemporary orators I have included only a very inadequate selection of passages from Mr. Redmond. That plan proceeds on no principle of exclusion, but solely on those of space and time. A book like this must, to begin with, be kept within manageable dimensions. Moreover, the task of piecing together from newspapers detachable passages, really representative of contemporaries, is one demanding a great deal more time than I have had at my disposal. Should this volume seem to the public to fill a gap on their library-shelves I shall be glad in due course to supplement it with another devoted to our living orators. Mr. Redmond alone of them has authorised the issue by Mr. Barry O'Brien of a collection of his speeches. He, like Grattan, is central. An unequalled power of exposition, a style in which every syllable is weighed and every word is meant, a grave self-control which no interruption can perturb, have made him one of the two or three recognised masters of the English House of Commons.

The peril of the orator, his disease of occupation as one may call it, consists in the temptation to sacrifice structure to ornament. That lure assails him in every acclamation of his listeners. Packed together in crowds we are all absorbed into the ethos of the crowd ; standards decline ;

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the swift stimulation of raw spirits is preferred to the tardier glow of matured wine. We all but insist that a speaker shall cheapen his argument, shall drop to the role of public entertainer. When he yields, and especially when his field of surrender is vituperation, the outcome is sufficiently lamentable. But, as against this, there are certain set-offs to be considered. In those moods of self-condemnation to which Ireland is so curiously addicted, when everybody is busy confessing the sins of everybody else, we find the 'idealists' describing as personal attack what is really a duel of irreconcilable policies. Let us guard against the blanc-mange Elysiums, so vainly proposed to a world whose most precious metal is iron. The battle of politics is real, and calls for real fighters : so that the fighting be bonny there is no matter of offence. The epigrammatist, too, and the whole tribe of image makers, dwell under a disfavour far too austere. We must distinguish. There is in such images an earned, and an unearned, increment of applause. The sudden, vast, dazzling, and deep-shadowed view of traversed altitudes that breaks on the vision of a climber, who after long effort has reached the mountain-top is not to be grudged him. And the image that closes up in a little room the infinite riches of an argument carefully pursued is not only legitimate but admirable. More than all others Grattan had the secret of that art. What may properly awaken resentment is mere pseudo-picturesque foolery, and structureless harangue that gains applause simply by the cap-and-bells. And yet, even in this latter kind, it is well not to be too severe. Men have lounged into casual greatness as Francis Thompson believes



that they sometimes lounge into Heaven. Hamilton of the single speech, which nobody remembers, is copious compared with Hussey Burgh of the single metaphor. Again it is so much easier to talk in long words than in short ones that a stone, lying by the roadside, if adroitly employed as a missile, will often bring to earth a whole fleet of the most pretentious abstractions. In regard to all these matters our Irish speakers are, perhaps, blamably indifferent. In the New Philistinism that has come upon us out of unexpected places, and in strange disguises, our old freedom of mind, and with it our old sense of form has been gravely compromised. Laughter must be according to schedule; lucidity, betraying as it does a certain infection of art, lies under suspicion. In such an atmosphere the effort to keep one's soul alive, which is the whole task of culture, is not distinguished from the antics of the jester. Public speaking wallows in a trough of dismal rectitude, and, as in the culmination of the Dunciad, universal dulness covers all.

Another besetting peril of oratory is severance from great action. So separated from its natural issue it degenerates into rococo. The relation of adequacy between fact and word is dissolved. The smallest fish talks like a whale, and a Rural District Council election is adjectived into a Thermopylæ. But this is an extravagance that corrects itself. Far more dangerous is it to assume that the master of phrase is necessarily also a master of reality. The conjunction is normal, as witness the mere ranked names of Grattan, Mirabeau, Emmet, Pitt, O'Connell, Lincoln, Gambetta, Gladstone. But there are men born to the leadership of ideas who exercise

but poorly the leadership of policies or of men. And further that coloured speech, which is styled oratory, is of its essence a Swiss : it may attack to-morrow what it defends to-day. 'Hannibal' Plunkett, for instance, delivered quite as cogent and imaginative an oration in prosecuting Emmet as in opposing the Union, or pleading for Catholic Rights.

Whether there is a national style or school of public speech in this country is a question to which I do not even pretend to return an answer. Oratory is the least intimate of all modes of expression, and the least mutable. The analysis of Aristotle and the practice of Demosthenes have in this regard controlled absolutely the shape of our western utterance. The mass-soul does not grow as rapidly as the individual soul, and yesterday's Hansard will disclose to the student no new scheme or method. The Latin nations run, perhaps, a little more to general principles, but with that reservation, a good speech anywhere is very like a good speech anywhere else. The oratory of the great Gaelic days is of course lost to us, and we can pronounce no judgment on it. But in that of the modern period, except perhaps in certain interludes of O'Connell, it is difficult to discover any specifically national mode or form. If one be sought it will certainly not be found in that floridity and Orientalism, commonly imputed to Irish speakers.

In a subject the mere margins of which are touched in this book, a hundred other significant lines of enquiry suggest themselves. It would be interesting to take some image still current, and trace its history. O'Connell's "brass plate on a coffin," for instance, was not an original

mintage, but an old coin that had for many years made the rounds of the Law Library, and the Circuit Messes. The sea, not in the convention that drives across its enmity a precious barque, but the sea itself recurs with large reverberations. Grattan, writing of Malone, of whom nothing survives except the tradition of a demi-god, says :—‘ Mr. Malone, one of the characters of 1753, was a man of the finest intellect that any country ever produced.’ . . . . ‘ He is a great sea in a calm,’ said Gerrard Hamilton, another great judge of men and talents. ‘ Ay!’ it was replied, ‘ but had you seen him when he was young, you would have said he was a great sea in a storm.’

Davis tells us that Curran “ had a deep sea mind.” Lionel Johnson reports that the opening words of one of the last speeches of Parnell were : “ Once again I am come to cast myself into the deep sea of the love of my people ! ” In this reiteration there is obviously no hint of plagiarism. But that process goes thrivingly forward all the time. It is with ideas as with umbrellas : if left lying about they are peculiarly liable to a change of ownership. And after all the man who seizes upon some valuable, unregarded coinage of obscure genius and makes it at once his own and the world’s property is, in his own fashion, doing good by stealth. Should he find it fame, he is, moreover, in a situation very favourable to blushing.

It will be observed that the eloquence of the Bar is, except in a passage or two from Curran, unrepresented. The truth is that Bar speeches, even when founded on great public issues, are beyond all others diffuse and volatile. It ought to be added that since Irish silk and stuff

deserted the national cause, greatness of inspiration has abandoned them. Their habit of utterance is thin, clipt, and timorous.

It is true that the exceptions have been magnificent. It is true also that something of the decline is to be set down to an altered fashion of speech. The decay of imagination has been accompanied by an advance in technical efficiency. But when all has been said it remains indisputable that freedom is the breath and being of forensic eloquence. The man who rejects it may become a great lawyer, a learned bully, or a keen-scented *arriviste*, but he will never be a great orator.

Almost everybody who gives himself the trouble of reading a book of speeches ends up with a practical and personal question : How am I to set about making a good speech ? What is the formula or recipe ? There is none. It is with speeches as Rossetti tells us it is with sonnets : without " fundamental brain-work " there can be no greatness. Tricks of the surface may be learned by any poodle ; but without knowledge, sincerity, and a hearty spiritual commitment to public causes the crown of oratory, such as it is, is not to be won. This second requisite, that a speaker shall not only be sincere, but shall infect his audience with that impression, troubles the novice more than any other. It opens out the whole question of gesture and pantomime. Portrait painters assure us that they never quite know what to do with the hands of their subject. The average public speaker would, if he were candid, admit that he seldom quite knows what to do with his own. Historically, pantomime precedes language ; it has lived on as a



parallel mode of expression in the fascinating art of the ballet and has now entered into a new dominion through the cinematograph. But in current life, except perhaps among the Latin peoples, its ritual has disappeared ; what remains is amorphous and fragmentary. It follows that the "trained elocutionist," with his scheduled gestures and cadences is always on the perilous edge of unreality. On the other hand, such a man may well be repelled by the veritable genius for clumsiness exhibited by many public speakers. In all these matters the solution must frame itself in the first person singular. The ruling law is that a man must be true to his nature, his facts and his emotion. Pater reduces what is called style to the single note of accuracy. That analysis holds as well of the spoken as of the written word. To be equal to the occasion, equal in the action counselled, in the reasons expounded, in the passions aroused ; to be neither above your work nor below it, but to strike at its centre with strong precision, is to be an initiate.

The outer histrionic shell does not in the end count for very much. To Byron, Grattan was a harlequin ; to others, Burke was a majestic bore ; Flood had the air of a broken-beaked vulture ; Hussey Burgh bellowed ; O'Connell tainted the winds with his perspiring vulgarity ; Sheil piped in a thin falsetto. In the memoirs of any period—those admirable creations of malice, vanity, and garrulous old age—you will find in the pictures of any public man a good deal more of the artist than of the model. No two interpretations will agree ; you are driven back, whether you will or no, to the man himself, to the things he did and the things he said. Whether in

any particular circumstances he looked like a sneak thief, as one witness testifies, or like a senator of Rome after Cannae, as another avers, does not amount to a row of pins. His value, in the judgment of posterity, will depend on his share in impelling the civilization in which he lived towards its assigned goal of freedom and justice.

It may well be doubted whether those who regard rhetoric as the enemy of enemies in Ireland are in all respects as wise as they believe themselves to be. There is this to be said for grandiloquence : it is a sin of excess. It is insincere on the right side, namely, that of large ideas. The practical and the concrete need no intensive cultivation, they impose themselves. But the social imagination, the wide-sweeping courage which takes all humanity for its workshop and its material, is rarer, less tenacious, more easily broken. Even sentimentalism and rhodomontade may have their protective uses. The knowledge henceforth indispensable to the orator must plainly be of the bread and butter order. The fight for natural freedom, for democracy, for the deliverance of intellect from the old fantastic bondages has already been won, if not everywhere in the realm of fact, at all events in that of conscience. It remains to reconstruct the fabric of civilization on a basis of economic justice and wisdom. That is the task of the twentieth century. In approaching it we are in graver peril from littleness than from bigness. We may well regard with tolerance any evangel which, however it may miss the centre of supreme accomplishment, helps to keep alive the guttered and flickering candles of idealism.

T. M. KETTLE.

# IRISH ORATORY AND ORATORS.

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## EDMUND BURKE (1730-1797).

Hazlitt probably came near the truth when he said the only specimen of Burke was "all that he wrote," a profound criticism, because Burke's speeches are often brilliant pamphlets. Still, it is possible, even in fragments, to give some idea of what may be called his leading characteristics—clearness of vision, a luminous accuracy of phrase, and an instinct for what was morally right, irrespective of political exigencies—in the long run, the soundest political philosophy. He saw his subject too, in spite of accidental complexities, as a whole, resolved it into its natural divisions, showed the relations of parts, their interdependence or contradictions, with the touch of a skilled dissector, and imposed assent by the very boldness of demonstration, a quality triumphantly displayed in his speeches on America and those connected with the impeachment of Warren Hastings. No man realized more thoroughly the dictum of Buffon: "*Pour bien écrire, il faut posséder pleinement son sujet.*" This copiousness often defeated its object, for he had not the lightning tact of lesser men, and never acquired the art of "hitting the House between wind and water." Some critics found him too episodal; but to this we owe the superb examples of character drawing which illuminate his speeches.

"There is no political figure of the eighteenth century," says Lecky, "which retains so enduring an interest, or which repays so amply a study, as Edmund Burke. . . . As an orator, he has been surpassed by some, as a practical politician he has been surpassed by many. . . . But no other politician or writer has thrown the light of so penetrating a genius on the nature and working of the British Constitution, has impressed his principles so deeply on both of the great parties in the State, and has left behind him a richer treasure of political wisdom applicable to all countries and to all times. He had a peculiar gift of introducing into transient party conflicts observations drawn from the most profound knowledge of human nature, of the first principles of government and legislation, and of the more subtle and remote consequences of political institutions, and there is perhaps no English prose writer since Bacon whose works are so thickly starred with thought. The time may come when they will be no longer read. The time will never come in which men would not grow the wiser by reading them."

## AMERICAN TAXATION.

(April 19th, 1774.)

As if by the act of a veiled Nemesis, the loss of America may be traced remotely to the seizure of the ill-omened East India Company. Owing to the disloyal conduct of its servants in robbing on their own account, its affairs became so embarrassed that it could not pay the annual tribute of £400,000 to the Government and was finally obliged to appeal to Parliament. Two measures were passed, one granting a loan, the other, a Regulating Act, giving Government, practically, control of the Association.

Having gained his point, Lord North, the minister, permitted the export of 17,000,000 lbs. of tea then lying in the Company's warehouses to America, with a duty of 3d. *per pound—to be paid in the Colonies.* The reception of the tea in Boston is historical, and it was during the resulting debate Burke delivered this speech.



This tea duty was the only remaining tax, out of all those imposed by Townshend in 1767. It was intentionally allowed to stand in order to assert the perilous right to tax.

Taxing for Revenue :—In reading the speech the following facts may be borne in mind.

Grenville, 1764, proposed stamp duties for a revenue towards the English National Debt, £140,000,000, and the upkeep of British troops in America, believing that like Ireland, the Colonies should pay for military protection and the glories of Empire. Despite remonstrance, the measure became law as the Stamp Act, 1765. It provided that bonds leases, broadsides, etc., should be printed or written on stamped paper. Great bitterness was excited in America—taxation for commercial purposes being one thing and taxation for purposes of revenue, another. The Act was fiercely resisted on the vital principle that there should be no taxation without representation.

The Rockingham Ministry, whose key-stone was Pitt, introduced a bill repealing the Act—on the ground of *expediency*, while by a Declaratory Act they grimly insisted on the right of England to make taxes binding the Colonists “in all cases whatsoever.”

The Grafton Ministry followed. Accident placed Charles Townshend, Chancellor of the Exchequer, at the head of affairs. He lightheartedly set about reconciling the distinction between external and internal taxation by his project of raising a revenue through a port duty on glass, lead, painters' colours, paper and tea, the charge on the last being 3d. in the pound, and again the analogy was Ireland. But America had the miserable state of that country before her eyes, and believing in God, she determined that one Ireland was enough in His world.

Townshend died. North, favourite of the King and court party became minister. He made Lord Hillsborough Secretary of State. The friends of America, Chatham, Conway, Shelbourne, resigned. Finally North repealed all the duties imposed by Townshend's Act, except that on tea, arguing that it was based on commercial grounds, the tea having been freed from a duty of 1/- in the pound in England and the Colonists asked only to pay one of 3d.,

while a circular letter from Hillsborough pledged the Government not to raise other revenue from America. The concessions came too late, the English states flushed by success, and irritated by the shuffling policy of the "Mother Country," resisted, and the long struggle which was to end in the Declaration of Independence had begun.

At the time the speech produced a great effect. Colonel Barré declared if it could be written out, he would nail it on every church door in the kingdom. Sir George Savile called it the greatest triumph of eloquence within his memory. Governor Johnstone said it was fortunate for the noble lords (North and Germaine) that strangers were excluded from the debate, else they might have excited the populace to tear them to pieces on their way home. Though urged by his friends, Burke generously refrained from having the speech printed until a year had elapsed, so that the Ministers might have an opportunity of re-considering their policy. (Payne.)

Sir,—I agree with the honourable gentleman who spoke last, that this subject is not new to this House. Very disagreeably to this House, very unfortunately to this Nation, and to the peace and prosperity of this whole Empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments, and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape ; we have looked at them in every point of view. Invention is exhausted ; reason is fatigued ; experience has given judgment ; but obstinacy is not yet conquered.

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely

of challenges. Challenges are serious things ; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and agree with the honourable gentleman on all the American questions My sentiments, I am sure, are well known to him ; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship ; he will permit me to apply myself to the House under the sanction of his authority ; and on the various grounds he has measured out, to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation ; one narrow and simple, and merely confined to the question on your paper : the other more large and more complicated ; comprehending the whole series of the Parliamentary proceedings with regard to America, their causes and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous to enter into so extensive a field of enquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it ; and declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity, what shall we do, Sir, who are willing to submit to the law he gives us ? He has reprobated

in one part of his speech the rule he had laid down for debate in the other ; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities. . . .

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post on this concession, in order to make a new attack on the next body of taxes ; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea ? Sir, I can give no security on the subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honourable gentleman reprobates in one instant, and reverts to in the next ; to that experience, without the least wavering or hesitation on my part, I steadily appeal ; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day !

When Parliament repealed the Stamp Act in the year 1766, I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former Parliamentary revenue which subsisted in that country ; or even any one of the articles which compose it. I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the Colonists with new jealousy, and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as well as the new ; then it was, and not till then, that they questioned all the parts of your legis-



lative power ; and by the battery of such questions have shaken the solid structure of this Empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proof, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House I speak with great confidence. I have reason for it. The Ministers are with me. *They* at least are convinced that the repeal of the Stamp Act had not, that no repeal can have, the consequences which the honourable gentleman who defends their measures is so much alarmed at. To their conduct I refer him for a conclusive answer to his objection. I carry my proof irresistibly into the very body of both Ministry and Parliament ; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's Ministerial friends on the new revenue itself.

The Act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government, there, as well as for purposes still more extensive. To this support the Act assigns six branches of duties. About two years after this Act passed, the Ministry, I mean the present Ministry, thought it expedient to repeal five of the duties and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the Minister : " Condemning, as you do, the Repeal of the Stamp Act, why do you venture to repeal the duties upon glass, paper, and painters' colours ? Let your pretence for the

repeal be what it will, are you not thoroughly convinced, that your concessions will produce not satisfaction, but insolence, in the Americans ; and that the giving up these taxes will necessitate the giving up of all the rest ? ” This objection was as palpable then as it is now ; and it was as good for preserving the five duties as for retaining the sixth. Besides, the Minister will recollect, that the Repeal of the Stamp Act had but just preceded his repeal ; and the ill policy of that measure (had it been so impolitic as it has been represented), and the mischiefs it produced, were quite recent. Upon the principles, therefore, of the honourable gentleman, upon the principles of the Minister himself, the Minister has nothing at all to answer. He stands condemned by himself, and by his associates old and new, as a destroyer, in the first trust of finance, of the revenues ; and in the first rank of honour, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends ; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked and imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much alarm to his honourable friend. His work was not bad in its principle, but imperfect in its execution ; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, Sir, the honourable gentleman who spoke last,

is thoroughly satisfied, and satisfied out of the proceedings of Ministry on their own favourite Act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble lord who sits by him, to settle the matter, as well as they can, together ; for if the repeal of American taxes destroys all our government in America—He is the man !—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly—"The Preamble! what will become of the Preamble, if you repeal this tax?"—I am sorry to be compelled so often to expose the calamities and disgraces of Parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the Act ; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth can give me this firmness ; but plain truth and clear evidence can be beat down by no ability. The Clerk will be so good as to turn to the Act, and to read this favourite preamble :

"Whereas it is *expedient* that a revenue should be raised in your Majesty's Dominions in America, for making a more *certain* and *adequate* provision for defraying the charge of the *administration of justice and support of civil government*, in such Provinces where it shall be found necessary ; and towards *further defraying*

the expenses of *defending, protecting, and securing the said Dominions*”

You have heard this pompous performance. Now where is the revenue which is to do all these mighty things? Five-sixths repealed—abandoned—sunk—gone—lost for ever. Does the poor solitary tea duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the Act is gone already; and all you suffer is the purging the Statute book of the opprobrium of an empty, absurd; and false recital.

It has been said again and again, that the five taxes were repealed on commercial principles. What is got by this paltry pretence of commercial principles I know not: for if your government in America is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your objection to a repeal from these supposed consequences has no validity, or that this pretence could never remove it. This commercial motive never was believed by any man, either in



America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of Commerce, must know, that several of the articles on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen ; without comparison more so, than the tea that was left taxed ; as infinitely less liable to be eluded by contraband. . Tea is perhaps the most important object, taking it with its necessary connections, of any in the mighty circle of our Commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration, but nothing in the world can read so awful and so instructive a lesson, as the conduct of Ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the State looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong ; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piece-meal a repeal of an Act,

which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble counsels, so paltry a sum as threepence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial Empire that circled the whole globe.

Do you forget, that in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the East India Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure, was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life; and where the demand grows upon the supply. I hope our dear-bought East India Committees have done us at least so much good, as to let us know, that without a more extensive sale of

that article, our East India revenues and acquisitions can have no certain connection with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burthen. They are ponderous indeed ; and they must have that great country to lean upon, or they tumble on your head. It is the same folly that has lost you at once the benefit of the West and of the East. This folly has thrown open folding-doors to contraband ; and will be the means of giving the profits of the trade of your Colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a preamble. It must be given up. For on what principles does it stand ? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive !) vocabulary of finance—a *preambulary tax*. It is indeed, a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

But, the Colonies can be forced to take the tea. Has seven years' quarrel forced them to take it ?

But the tax is trifling. Three-fourths of the duty taken off, the place of collection merely shifted. Instead of the retention of a shilling in England, it is 3d. paid in America. True, but this shows your folly—the duty, safe and secure, has been thrown away for one three-fourths less !

Could anything be a subject of more just alarm to America than to see you go out of the plain road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your Colonies ? No man every doubted that the commodity

of tea could bear an imposition of threepence. But no commodity will bear threepence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the Colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, Sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your Act of 1767 asserts, that it is expedient to raise a revenue in America; your Act of 1769, which takes away that revenue, contradicts the Act of 1767; and by something much stronger than words, asserts, that it is not expedient. It is a reflection on your wisdom to persist in a solemn Parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you; it is very material; that the preamble of this Act, which we wish to repeal, is not *declaratory of a right* as some gentlemen seem to argue it; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted; an exercise you are now contending for by ways and means, which you confess, though



they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom : a quiddity ; a thing that wants not only a substance but even a name ; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you ; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Shew the thing you contend for to be reason ; shew it to be common sense ; shew it to be the means of attaining some useful end ; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity is more than ever I could discern. The honourable gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not ! Every hour you continue on this ill-chosen ground, your difficulties thicken on you ; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity, of yielding, both of them, grow upon you every hour of your delay.

Shall we repeal this tax when America is in open opposition to us ? Go back to 1769, and see how the King himself opposed the repeal of Townshend's Act, and then listen to Lord Hillsborough's declaration to the Colonists going straight against it !

An apprehension of the very consequences now stated by the honourable gentleman was then given as a reason for shutting the door against all hope of such an alter-

ation. And so strong was the spirit for supporting the new taxes, that the Session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the Speech from the Throne proceeds :—

“ You have assured me of your *firm* support in the *prosecution* of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the Legislature, in *maintaining the execution of the laws* in every part of my Dominions.”

After this no man dreamt that a repeal under this Ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days after this speech, that is, on the 13th of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, Secretary of State for the Colonies. After reciting the substance of the King's Speech, he goes on thus :

“ I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with *factious and seditious views*, that his Majesty's *present Administration* have at no time entertained a design to propose to Parliament to lay any further taxes upon America for the purpose of RAISING A REVENUE ; and that it is at present their intention to propose, the next Session of Parliament, to take off the duties upon glass, paper, and

colours, upon consideration of such duties *having been laid contrary to the true principles of commerce.*

“ These have *always* been, and *still are* the sentiments of his Majesty’s *present servants* ; and by which *their conduct in respect to America has been governed.* And *his Majesty* relies upon your prudence and fidelity for such an explanation of *his* measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her Colonies ; and to re-establish that mutual *confidence and affection*, upon which the glory and safety of the British Empire depend.”

Here, Sir, is a canonical book of ministerial scripture ; the General Epistle to the Americans. What does the gentleman say to it ? Here a repeal is promised ; promised without condition ; and while your authority was actually resisted. I pass by the public promise of a Peer relative to the repeal of taxes by this House. I pass by the use of the King’s name in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of Parliament hurling its thunders at the gigantic rebellion of America ; and then, five days after, prostrate at the feet of those assemblies we affected to despise ; begging them, by the intervention of our ministerial sureties, to receive our submission, and heartily promising amendment. These might have been serious matters formerly ; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply, that the idea of taxing America for the purpose of revenue

is an abominable project ; when the Ministry suppose that none but *factionous* men, and with seditious views, could charge them with it ? does not this letter adopt and sanctify the American distinction of *taxing for a revenue* ? does it not formally reject all future taxation on that principle ? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant opinion of the King's servants ? does it not say, I care not how consistently—but does it not say, that their conduct with regard to America has been *always* governed by this policy ? It goes a great deal further. These excellent and trusty servants of the King, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious Sovereign from the inmost and most sacred shrine, and they pawn him as a security for their promises—“ *His Majesty* relies on your prudence and fidelity for such an explanation of his measures.” These sentiments of the Minister, and these measures of his Majesty, can only relate to the principle and practice of taxing for a revenue ; and accordingly Lord Botecourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly, lest the sentiments, which it seems (unknown to the world) had *always* been those of the Ministers, and by which *their conduct in respect to America had been governed*, should by some possible revolution, favourable to wicked American taxers, be hereafter counteracted. He addresses them in this manner :—

“ It may possibly be objected, that, as his Majesty's present administration are *not immortal*, their successors



may be inclined to attempt to undo what the present Ministers shall have attempted to perform ; and to that objection I can give but this answer ; that it is my firm opinion, that the plan I have stated to you will certainly take place ; and that it will never be departed from ; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am or ever shall be legally invested, in order to obtain and *maintain* for the Continent of America that *satisfaction* which I have been authorised to promise this day, by the *confidential* servants of our gracious Sovereign, who to my certain knowledge rates his honour so high, *that he would rather part with his crown than preserve it by deceit.*"

A glorious and true character ! which (since we suffer his Ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his Majesty to preserve in all its lustre. Let him have character, since ours is no more ! Let some part of the Government be kept in respect.

This Epistle was not the letter of Lord Hillsborough solely ; though he held the official pen. It was the letter of the Noble Lord upon the floor, and of all the King's then Ministers, who (with, I think, the exception of two only) are his Ministers at this hour. The very first news that a British Parliament heard of what it was to do with the duties which it had given and granted to the King, was by the publication of the votes of American assemblies. It was in America that your resolutions

were pre-declared. It is from thence that we knew to a certainty, how much exactly, and not a scruple more or less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had *confidential* communications from his Majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder that you have no weight and no respect in the Colonies? After this, are you surprised, that Parliament is every day and everywhere losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power?

So much for the folly of confidential communications. As for your dignity—you did not think of it in time, you began by violence.

Your ministerial directors blustered like tragic tyrants here; and then went mumping with a sore leg to America, canting and whining, and complaining of faction, which represented them as friends to a revenue from the Colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of Ministry. The moment they do, with this letter of attorney in my hand, I will tell them, in the authorized terms, they are wretches, "with factious and seditious views; enemies to the peace and prosperity of the Mother Country and the Colonies," and subverters "of the mutual affection and confidence on which the glory and safety of the British Empire depend."



After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your Sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must, therefore, either abandon the scheme of taxing, or you must send the Ministers tarred and feathered to America, who dared to hold out the Royal Faith for a renunciation of all taxes for revenue. Then you must punish, or this faith you must preserve. . . . .

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole grounds of the repeal of the five duties, why does Lord Hillsborough, in disclaiming in the name of the King and Ministry their ever having had an intent to tax for revenue, mention it as the means "of re-establishing the confidence and affection of the Colonies?" Is it a way of soothing others, to assure them that you will take good care of *yourself*? The medium, the only medium, for regaining their affection and confidence, is, that you will take off something oppressive to their minds. Sir, the letter strongly enforces that idea: for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting "the insinuations of men with factious and seditious views," is, by a disclaimer of the intention of taxing for revenue, as a constant invariable sentiment and rule of conduct in the government of America.

Look at the Act just above the American Revenue Act in the Statute Book. It is one for raising a revenue in the Isle of Man—almost the whole body of British manufacture is taxed there. It resembles the American Act in every particular but that. Yet, you repeal in the latter case, and continue taxing the Isle of Man as you

would continue to tax America if she did not resist—that is the motive for the repeal.

Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain "the confidence and affection of the Colonies, on which the glory and safety of the British Empire depend." A wise and just motive surely, if ever there was such. But the mischief and dishonour is, that you have not done what you had given the Colonies just cause to expect, when your Ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the Circular Letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name; and which produces you no advantage; no, not a penny. Or, if you choose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea than for abandoning the five others that you have already renounced.

The American consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge

the American violence as a justification for your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same Act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession.—No ! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured ; or even the pretence on which the repeal of the other taxes was announced ; and because by enabling the East India Company to open a shop for defeating the American resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the Act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But, if we go so far, the Americans will go farther ?

It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors, is peace, good-will, order, and esteem on the part of the governed. I would certainly, at least, give these fair principles a fair trial ; which since the making of this Act to this hour they never have had.

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I

shall, therefore, Sir, open myself fully on that important and delicate subject ; not for the sake of telling you a long story (which I know, Mr. Speaker, you are not particularly fond of), but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. I shall not be longer, if I can help it, than so serious a matter requires.

First period of Colonial policy :—From the Navigation Act down, the system of commerce was the only one by which you tried to make the colonies support the empire. Accordingly, in all laws referring to plantations the words which characterize Revenue Laws were all avoided intentionally. Our Revenue Laws have " Give and Grant " as a symbol. These words first occur, in regard to America, in 1764, when they were interpreted to mean merely regulations of trade. This was your policy from 1660 to 1764.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental Act of Navigation until 1764. Why ? Because men do bear the inevitable constitution of their original nature with all its infirmities. The Act of Navigation attended the Colonies from their infancy ; grew with their growth and strengthened with their strength. They were confirmed in obedience to it even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital, primarily employed, not for their benefit, but his own, they were enabled to proceed with their



fisheries, their agriculture, their ship-building (and their trade too, within the limits) in such a manner as got far the start of the slow, languid operations of unassisted nature. . . . For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seemed to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the Colonies of yesterday ; than a set of miserable outcasts, a few years ago not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness three thousand miles from all civilised intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. . . . America had the compensation of your capital, which made her bear her servitude. She had another compensation which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British Constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal of her own internal government. . . .

Whether you were right or wrong in establishing the Colonies on the principle of commercial monopoly rather than on that of revenue is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with a universal internal

and external taxation, is an unnatural union ; perfect uncompensated slavery.

Second period :—How did the revenue scheme begin ? Thus. Twenty new regiments, and twenty colonels capable of seats in the House were maintained. The country gentlemen who, of course, would oppose this, were pacified by the idea of a revenue from the Colonies which would pay, or help to pay the expense. Mr. Charles Townshend dazzled them with the idea, and Mr. Grenville lent himself to the project.

Here began to dawn the first glimmerings of this new Colony system. It appeared more distinctly afterwards when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. . . . No man can believe that at this time of day I mean to lean on the venerable memory of a great man whose loss we deplore in common. Our little party differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly, Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low, pimping politics of a court, but to win his way to power, through the laborious gradations of public service ; and to secure himself a well-earned rank in Parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business



Sir, if such a man fell into errors, it must be from defects not intrinsic ; they must be rather sought in the particular habits of his life ; which, though they do not alter the ground-work of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences ; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together ; but it is not apt, except in persons very happily born, to open and liberalize the mind exactly in the same proportion. Passing from that study, he did not go very largely into the world, but plunged into business ; I mean into the business of office ; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line ; and there is no knowledge which is not valuable. But it may be truly said, that men having too much conversation with office have rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions ; and, therefore, persons who are nurtured in office do admirably well as long as things go in their common order ; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind and a far more extensive comprehension of things is requisite than ever office gave or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation

than in truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty ; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. . . . .

But the grand manœuvre in that business of new regulating the Colonies was the 15th Act of the Fourth of George III., which, besides containing several of the matters to which I have just alluded, opened a new principle ; and here properly began the second period of the policy of this country with regard to the Colonies ; by which the scheme of a regular plantation Parliamentary revenue was adopted in theory and settled in practice. A revenue not substituted in the place of, but super-added to, a monopoly ; which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This Act, Sir, had for the first time the title of “ granting duties in the Colonies and Plantations of America ” ; and for the first time it was asserted in the preamble, “ that it was *just* and *necessary*, that a revenue should be raised there.” Then came the technical words of “ giving and granting ” ; and thus a complete American Revenue Act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the Colonies, without any formal consent of theirs. . . . .

Sir, it has been said in the debate, that when the first American Revenue Act (the Act in 1764, imposing the port duties) passed, the Americans did not object to the

principle. It is true they touched it but very tenderly. It was not a direct attack. They were, it is true, as yet novices ; as yet unaccustomed to direct attacks upon any of the rights of Parliament. The duties were port duties, like those they had been accustomed to bear ; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it ? It is a full refutation of the pretence for their present cruelty to America ; for it shews out of their own mouths, that our Colonies were backward to enter into the present vexatious and ruinous controversy.

Third period :—Rockingham Administration ; character of Rockingham.

This was the state of the Colonies before his Majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by incontrovertible records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration ; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness ; I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then Ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the Treasury department. It was indeed in a situation of little rank and no con-

sequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on ; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men of war, against almost the whole of the American commercial regulations : and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, Sir, the noble Lord soon saw his way in this business. But he did not rashly determine against Acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law ; on the other, the Act of Navigation and all the corps of trade laws were drawn up in array against it.

Rockingham consulted with Yorke, and came to the conclusion that the Stamp Act should be abandoned. There was violent opposition, and weighty questions arose—whether the repeal should be whole or partial—that English rights of taxation regarding America were ill-defined—that such acts went directly against principles of commerce and equity. References to Chatham and Conway.

I state, Sir, these particulars, because this act of spirit



and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of Ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the Cabinet, as personal timidity does in the field. But timidity with regard to the well-being of our country is heroic virtue. The noble Lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched. He looked in the face one of the ablest, and, let me say, not the most scrupulous, oppositions, that perhaps ever was in this House; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the Declaratory Act . . . .

The question of the repeal was brought on by Ministry in the Committee of this House, in the very instant when it was known that more than one Court negotiation was carrying on with the heads of the Opposition. Everything, upon every side, was full of traps and mines. Earth below shook; heaven above menaced; all the elements of Ministerial safety were dissolved. It was in the midst of this chaos of plots and counter-plots; it was in the the midst of this complicated warfare against public

opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground ; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this House. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. . . . It was a time for a *man* to act in. We had powerful enemies ; but we had faithful and determined friends ; and a glorious cause. We had a great battle to fight ; but we had the means of fighting ; not as now, when our arms are tied behind us. We did fight that day, and conquer.

I remember, Sir, with a melancholy pleasure, the situation of the honourable gentleman who made the motion for the repeal ; in that crisis, when the whole trading interest of this Empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When at length you had determined in their favour, and your doors, thrown open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long-absent father. They clung about him as captives about their redeemer. All England, all America, joined



to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.* I stood near him ; and his face, to use the expression of the Scripture of the first martyr—his face was as if it had been the face of an angel. I do not know how others feel ; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honour would have been a bond to hold us all together for ever. But, alas ! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented as if it had been a measure of an Administration, that having no scheme of their own, took a middle line, pilfered a bit from one side, and a bit from the other. Sir, they took no middle lines. They differed fundamentally from the schemes of both parties ; but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act ; they repealed the Stamp Act. They did both fully ; because the Declaratory Act was *without qualification* ; and the repeal of the Stamp Act *total*.

Now, Sir, what will the adversary say to both these Acts ? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the Repeal was not good, why are we not at war for a real, substantial, effective revenue ? If both were bad, why has this Ministry incurred all the inconveniences of both and of all schemes ?

Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again ?

Burke then deals with various rumours—that the disturbances in America are to be traced to the repeal of the Stamp Act—to change of Ministry—to feebleness of the succeeding one. He advances documentary proof of their seriousness before repeal in the amendment to the Address, 1765, in the report of General Gage, in a letter from Governor Fauquier. After the repeal America was tranquil, witness the warm acknowledgments from various parts of the Colonies. So much for the third period.

I have done with the third period of your policy ; that of your Repeal ; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The State, in the condition I have described it, was delivered into the hands of Lord Chatham—a great and celebrated name ; a name that keeps the name of this country respectable in every other on the globe. It may be truly called—

Clarum et venerabile nomen  
Gentibus, et multum nostrae quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind ; and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him ; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament.

For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself; and for that reason, among others, perhaps fatal to his country; measures, the effects of which, I am afraid, are for ever incurable. He made an administration so checkered and speckled; he put together a piece of joinery, so crossly indented; and whimsically dove-tailed; a cabinet so variously inlaid; such a piece of diversified mosaic; such a tessellated pavement without cement; here, a bit of black stone, there a bit of white; patriots and courtiers; King's friends and republicans; whigs and tories, treacherous friends and open enemies, that it was indeed a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other and were obliged to ask, "Sir, your name?—Sir, you have the advantage of me." . . . When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him which was justified, even in its extravagance, by his superior abilities, had never in any instance, presumed upon any opinion of their own. . . . As if to insult as well as betray him; even long before

the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an Act, declaring it highly just and expedient to raise a revenue in America. For even then, Sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light, too, is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme ; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this House, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country nor in any country, a man of a more pointed and finished wit ; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far, than any man I ever was acquainted with, how to bring together within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water. And not being troubled with too anxious a zeal for any matter in question,



he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required ; to whom he was always in perfect unison. He conformed exactly to the temper of the House ; and he seemed to guide, because he was always sure to follow it. . . . But he had no failings which were not owing to a noble cause ; to an ardent, generous, perhaps an immoderate, passion for fame ; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared ; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the character of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective character of its own. That character, too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with obstinacy. Obstinacy, Sir, is certainly a great vice ; and in the changeful state of affairs, it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence ; and in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.



In favour of the Act from the first, he changed his mind with the fluctuating opinion of the House, and finally endeavoured to reconcile opposing interests.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles ; from any order or system in their politics ; or from any sequel or connection in their ideas, what part they were going to take in any debate. All eyes were fixed on them, all ears open to hear them ; each party gaped and looked alternately for their vote, almost to the end of their speeches. . . . The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain than he received delight in the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours ; and his great aim was to make those agree in admiration of him who never agreed in anything else.

Hence arose this unfortunate Act, the subject of this day's debate ; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

Such is the history of your taxation regarding America. I am in favour neither of the Act nor the preamble and shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure something to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. You will employ it with more grace ; with better effect ; and with great probable concurrence of all the quiet and rational people in the provinces ; who are now united with, and hurried away by, the violent ; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this : when you have recovered your old, your strong, your tenable position then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the Empire, as a rampart against the speculations of innovators on both sides of the question ; and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds towards you. . . . .

Let us, Sir, embrace some system or other before we end this Session. Do you mean to tax America, and to draw a productive revenue from thence ? If you do, speak out ; name, fix, ascertain this revenue ; settle its quantity ; define its objects ; provide for its collection ; and then fight when you have something to fight for. If you murder—rob ! if you kill—take possession ! and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object.

Again and again, revert to your own principles—

*Seek Peace, and ensure it*—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions ; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade ; you have always done it. Do not burthen them by taxes ; you were not used to do so from the beginning. . . . But if intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. . . . They will cast your sovereignty in your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability ; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack horses of every tax you choose to impose, without the least share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue

too? The Englishman in America will feel that this is slavery—that it is legal slavery—will be no compensation, either to his feelings or his understanding.

Still further objections. Taxation without representation? But England is not free, Manchester and other considerable places are not represented. Is it because some towns in England are not represented that the Americans are to have no representation? What is to become of the Declaratory Act?

For my part, I look upon the rights stated in that Act, exactly in the manner in which I viewed them on its very first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain and the privileges which the Colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The Parliament of Great Britain sits at the head of her extensive Empire in two capacities: one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her imperial character; in which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate with each other, they ought all to be subordinate to her; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. . . . But in order to enable Parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of Parliament limited, may please themselves to talk of requis-



tions. But suppose the requisitions are not obeyed? What! Shall there be no reserved power in the Empire, to supply a deficiency which may weaken, divide and dissipate the whole? We are engaged in war—the Secretary of State calls upon the Colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and easing themselves, let the stress of the draft lie on the others—surely it is proper that some authority might legally say: “Tax yourselves for the common supply, or Parliament will do it for you.” This backwardness, was, as I am told, actually the case of Pennsylvania for some short time towards the beginning of the last war, owing to some internal dissensions in the Colony. But whether the fact were so or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power; nor ever used in the first instance. This is what I meant, when I have said at various times that I consider the power of taxing in Parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the Constitution of the British Empire, as distinguished from the Constitution of Britain; and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough surely for the ease and happiness of man.

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## CONCILIATION WITH THE COLONIES.

(March 22, 1775.)

In this speech the voice of Burke is as the voice of one crying in the wilderness. The Mother Country had already passed laws calculated to widen the breach between America and England. The Colonies were arming, and although negotiations continued, the belief prevalent amongst the English ruling classes was that England had already conceded enough.

I hope, Sir, that notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the Grand Penal Bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other House. I do confess I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour ; by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this Bill which seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American Government as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed by any incongruous mixture of coercion and restraint. We

are, therefore, called upon, as it were by a superior warning voice, again to attend to America ; to attend to the whole of it together ; and to review the subject with an unusual degree of care and calmness. . . .

To restore order and repose to an Empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are, by what you ought to be, I persuaded myself that you would not reject a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that if my proposition were futile or dangerous ; if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is ; and you will treat it just as it deserves.

The proposition is Peace. Not Peace through the medium of War ; not Peace to be hunted through the labyrinth of endless negotiations ; not Peace to arise out of universal discord, fomented, from principle, in all parts of the Empire ; not Peace to depend on the juridical determination of perplexing questions ; or the precise marking the shadowy boundaries of a complex government. It is simple Peace ; sought in its natural

course, and in its ordinary haunts—It is Peace sought in the spirit of Peace ; and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring *the former unsuspecting confidence of the Colonies in the Mother Country*, to give permanent satisfaction to your people ; and far from a scheme of ruling by discord, to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British Government.

My idea is nothing more. Refined policy ever has been the parent of confusion ; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at the last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the project which has been lately laid upon your table by the noble lord in the blue ribband. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of Algebra to equalize and settle. . . .

The capital leading questions on which you must this day decide are these two : First, whether you ought to concede ; and secondly, what your concession ought to be. On the first of these questions we have gained some ground. But I am sensible that a good deal more is to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature, and the peculiar circumstances of the object which we have before us . . . and to those circumstances ; and not according to our own imaginations ; nor according to abstract ideas of right ; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

Look at the population of your Colonies—2,000,000, besides 500,000 natives. They are increasing every day. Then your commerce with them, that is growing rapidly too. You have three branches, Trade with Africa, with the West Indies, with North America, not separate, but interwoven and forming practically one trade. From five hundred odd thousand it has leaped to £6,000,000. As to the trade with America alone, it is now within less than £500,000 of being equal to your trade with the whole world at the beginning of this century !

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. *It is good for us to be here.* We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity



has happened within the short period of the life of man.  
. . . . . For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quae sit potuit cognoscere virtus*. Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when, in the fourth generation the third prince of the House of Brunswick had sat twelve years on the throne of that nation, which was to be made Great Britain, he should see his son Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of Peerage, whilst he enriched the family with a new one—if amidst these bright and happy scenes of domestic honour and prosperity that angel should have drawn up the curtain, and unfolded the rising glories of his country, and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck scarcely visible, a small seminal principle, rather than a formed body, and should tell him—"Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a



series of seventeen hundred years, you shall see as much added to her by America in the course of a single life ! ” If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it ? Fortunate man, he has lived to see it ? Fortunate, indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day !

Take the case of Pennsylvania, in 1704 it claimed of your produce £11,459, now it is nearly fifty times as much. In the same way agriculture and fisheries have grown.

Pass by the other parts and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson’s Bay and Davis’s Straits, whilst we are looking for them beneath the Arctic Circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen Serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the

activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people ; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things ; when I know that the Colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection ; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigour relents. I pardon something to the spirit of liberty.

You would like to try force with those people ? Well, force is temporary, uncertain, often destructive, even should you be victorious. Then, you have no experience of its efficacy against them. Consider their character.

In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole ; and as an ardent is always a jealous affection, your Colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English Colonies probably than in any other people of the earth ; and this from a great variety of powerful causes ; which, to

understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the Colonies are descendants of Englishmen. England, Sir, is a nation which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are, therefore, not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of Taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the State. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it is not only necessary for those who in argument defended the excellence of the English Constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages,

to reside in a certain body called an House of Commons. They went much farther, they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of an House of Commons, as an immediate representative of the people ; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty can subsist. The Colonies draw from you, with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse ; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to take a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments ; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in a high degree ; some are merely popular ; in all, the popular representative is the most weighty ; and this share of the people in their ordinary government never fails to inspire them with



lofty sentiments, and with a strong aversion from what-ever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired ; and their mode of professing it is also one main cause of this free spirit. The people are protestants ; and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails ; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The Church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world ; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our Northern Colonies is a refinement on the principle of resistance ; it is the dissidence of dissent, and the protestantism of the Protestant religion. This religion under a variety of denominations agreeing in nothing but in



the communion of the spirit of liberty, is predominant in most of the Northern provinces ; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing probably the tenth of the people. The Colonists left England when this spirit was high, and in the emigrants was highest of all ; and even that stream of foreigners, which has been constantly flowing into these Colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner that some gentlemen object to the latitude of this description ; because in the Southern Colonies the Church of England forms a large body and has a regular establishment. It is certainly true. There is, however, a circumstance attending these Colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the Northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of

this sentiment, which has at least as much pride as virtue in it ; but I cannot alter the nature of man. The fact is so ; and these people of the Southern Colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty than those to the Northward. Such were all the ancient commonwealths ; such were our Gothic ancestors ; such in our days were the Poles ; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our Colonies, which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country, perhaps, in the world is the law so general a study. The profession itself is numerous and powerful ; and in most provinces it takes the lead. . . . This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance ; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance ; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the Colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in

weakening government. Seas roll, and months pass, between the order and the execution ; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged messengers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, *So far shalt thou go, and no farther*. Who are you, that you should fret and rage, and bite the chains of nature ? Nothing worse happens to you than does to all nations who have extensive Empire. And it happens in all the forms into which Empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia, and Curdistan, as he governs Thrace, nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxation in all his borders. This is the immutable condition, the eternal law, of extensive and detached Empire.

Such being the spirit of the Colonies, it appears to me there are only three ways of dealing with it, viz. : Change it by removing the causes of discontent—prosecute it as criminal—comply with it, as necessary. You might keep them in one place by stopping further grants of land ? But to do that, you should place guards over the desert, and they would continue occupying land without grants, and become so many English Tartars. Besides, you would simply raise the value of unoccupied land in the hands of private persons. You could destroy the trade of the Colonies, but where Colonies

exist for trade, it does not seem over-wise to destroy that trade in order to reduce them to obedience.

It is in truth nothing more than the old, and, as I thought exploded problem of tyranny, which proposes to beggar its subjects into submission. But, remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course ; that discontent will increase with misery ; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character which prevail in our Colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition ; your speech would betray you. An Englishman is the unfittest person on earth, to argue another Englishman into slavery.

You might enfranchise the slaves of the Virginians—their masters could do the same, and arm them as well. Besides :

Slaves, as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters ? from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic ? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused



an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

Finally, you cannot pump the ocean dry ! Now, as to the second plan—prosecute the spirit as criminal.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals—or even of bands of men, who disturb order within the State, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great Empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. . . .

Perhaps, Sir, I am mistaken in my idea of an Empire, as distinguished from a single State or kingdom. But my idea of it is this : that an Empire is the aggregate of many States under one common head ; whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often too, very



bitter disputes, and much ill blood, will arise. . . . Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the Empire to insist, that, if any privilege is pleaded against his will, or his acts, his whole authority is denied ; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part ? Will it not teach them that the Government against which a claim of liberty is tantamount to high-treason, is a Government to which submission is equivalent to slavery ? It may not always be quite convenient to impress dependent communities with such an idea. . . .

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable ; if the ideas of Criminal Process be inapplicable, or if applicable, are in the highest degree inexpedient ; what way yet remains ? No way is open, but the third and last—to comply with the American spirit as necessary ; or, if you please, to submit to it as a necessary evil. The Colonies complain, that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a Parliament in which they are not represented. . . .

My idea, therefore, without considering whether we yield as a matter of right, or grant as a matter of favour, is to *admit the people of our Colonies into an interest in the Constitution* ; and, by recording that admission in the Journals of Parliament, to give them as strong an

assurance as the nature of the thing will admit, that we mean for ever to adhere to that solemn declaration of systematic indulgence.

After all, if you want to please any people, you must give them the boon which they ask ; not what you may think better for them. You keep up Revenue Laws which are mischievous, in order to preserve trade laws that are useless. The quarrel is about taxation ; put the taxes out of the question by repeal, and then see how the Americans will act. You have favourable examples in Ireland, Wales, Chester and Durham, concession has not produced anarchy in those places. My idea is, then, that it would be best to establish the equity and justice of taxation in America by grant and not by imposition.

My resolutions, therefore, mean to establish the equity and justice of a taxation of America by *grant* and not by *imposition*. To mark the *legal competency* of the Colony Assemblies for the support of their government in peace and for public aids in time of war. To acknowledge that this legal competency has had *a dutiful and beneficial exercise* ; and that experience has shown the benefit of their grants, and the *futility of Parliamentary taxation as a method of supply*.

The resolutions follow, and a criticism on Lord North's proposal, that of taxing according to the relative wealth of each, which Burke describes as ransom by auction. Conclusion.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild ; that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain Colonies only. This is immediate in its conciliatory operation ; the other, remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling

people, gratuitous, unconditional, and not held out as a matter of bargain and sale. . . .

But what (says the Financier) is peace to us without money? Your plan gives us no revenue. No! But it does—For it secures to the subject the power of REFUSAL; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 11s. 2½d., nor any other paltry limited sum—but it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom : *Posita luditur arca*. Cannot you, in England; cannot you, at this time of day; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue and accumulated a debt of near 140 millions in this country? Is this principle to be true in England, and false everywhere else?

Next we know, that parties must ever exist in a free country. We know too that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the State. The parties are the gamesters, but Government holds the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that the Government will not be supplied. Whereas, whatever is got by acts of absolute power ill-obeyed, because odious, or by contracts

ill-kept, because constrained, will be narrow, feeble, uncertain and precarious

I, for one, protest against compounding our demands : I declare against compounding for a poor limited sum, the immense, ever growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the Colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude yourselves—you never can receive it—No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to exact revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America ? For certainly, if ever there was a country qualified to produce wealth, it is India ! or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus on a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments ; she may, I doubt not she will, contribute in moderation. I say in moderation ; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most



likely to have, must be considerable in her quarter of the globe.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British Constitution. My hold of the Colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the Colonists keep always the idea of their civil rights associated with your government ; they will cling and grapple to you ; and no force under heaven will be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their Privileges another ; that these two things may exist without any mutual relation ;—the cement is gone ; the cohesion is loosened ; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you.

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Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But, until you become lost to all feeling of your true interest, and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation, which binds to you the commerce of the Colonies, and through them secures



to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the Empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are things that hold together the great contexture of the mysterious whole. These things do not make your Government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution, which infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the Empire.

Is it not the same virtue which does everything for us here in England? Do you imagine then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their Government, from the sense of the deep stake they have in such a glorious institution—which gives you your army and your navy, and infuses into both that liberal obedience without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us; a sort

of people who think that nothing exists but what is gross and material ; and who, therefore, far from being qualified to be directors of the great movement of Empire, are not fit to turn a wheel in the machine. But to men, truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom, and a great Empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our situation and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church *Sursum corda !* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire ; and have made the most extensive, and the only honourable conquests not by destroying, but by promoting the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is ; English privileges alone will make it all that it can be.

In full confidence of this unalterable truth, I now *quod felix faustumque sit !* lay the first stone of the Temple of peace ; and I move you :

“ That the Colonies and Plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege

of electing and sending any Knights and Burgesses, or others, to represent them in the High Court of Parliament."

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## THE NABOB OF ARCOT'S DEBTS

(February 28th, 1785.)

[As an example of changed methods, this speech may be read in conjunction with Digby's "Prosperous India."]

The Nabob of Arcot—a district in the Carnatic, and now in the Presidency of Madras—was established in his government by the East India Company, with whose officers he afterwards maintained close relations. By a secret arrangement he was enabled to still further enlarge his territories through the aid of the Company's troops lent to him as mercenaries, at a high price. His diplomatic and military operations plunged the unhappy district in all the horrors of war and roused Hyder Ali to carry havoc from Mysore to Madras. Before long he found himself indebted to the English for immense sums increased by fraudulent loans from English money jobbers, at usurious interest until the amount was considerably over £2,000,000.

By a Bill called Mr. Pitt's East India Act, Parliament ordered an inquiry by the Court of Directors, who, aghast at the mighty total, directed the president and council of Madras to enter into a full examination. At this point the ministers again intervened, admitted the debts without inquiry, and set aside a portion of the revenue of the Carnatic for their discharge. This *volte face* could not even then pass unchallenged, and Fox moved that copies of the documents relating to the transaction be laid before the House. "Question being put, it passed in the negative by a great majority."

Burke's speech was deemed "in energy, and rhetorical address, in a minute knowledge of India . . . ."

equal to anything ever delivered in Parliament." It would be tedious to follow him "winding like a serpent" into the intricacies of his subject, but it is to be hoped that the selected passages will show with what a masterly hand he draws aside the curtain from that glittering world of cruelty and chicane whose presiding spirit was Warren Hastings.

The times we live in, Mr. Speaker, have been distinguished by extraordinary events. Habituated, moreover, as we are, to uncommon combinations of men and of affairs, I believe nobody recollects anything more surprising than the spectacle of this day. The right honourable gentleman (Rt. Hon. Henry Dundas) whose conduct is now in question, formerly stood forth in this House, the prosecutor of the worthy baronet who spoke after him. (Sir T. Rumbold, late governor of Madras). He charged him with several grievous acts of malversation in office, with abuses of a public trust of a great and heinous nature. In less than two years we see the situation of the parties reversed ; and a singular revolution puts the worthy baronet in a fair way of returning the prosecution in a recriminatory bill of pains and penalties, grounded on a breach of public trust, relative to the government of the very same part of India. If he should undertake a bill of that kind, he will find no difficulty in conducting it with a degree of skill and vigour fully equal to all that have been exerted against him. . . .

It is to draw your attention to economy of quite another order, it is to animadvert on offences of a far different description, that my honourable friend has brought before you the motion of this day. It is to perpetuate the abuses which are subverting the fabric of your empire,



that the motion is opposed. But before his curtain is let down, and the shades of eternal night shall veil our Eastern dominions from our view, permit me, Sir, to avail myself of the means which were furnished in anxious and inquisitive times, to demonstrate out of this single act of the present minister, what advantage you are to derive from permitting the greatest concern of this nation to be separated from the cognizance, and exempted even out of the competence of Parliament. The greatest body of your revenue, your most numerous armies, your most important commerce, the richest sources of your public credit, are on the point of being converted into a mystery of state. You are going to have one half of the globe hid even from the common liberal curiosity of an English gentleman. Here a grand revolution commences. Mark the period, and mark the circumstances. In most of the capital changes that are recorded in the principles and system of any government, a public benefit of some kind or other has been pretended. The Revolution commenced in something plausible ; in something which carried the appearance at least of punishment of delinquency, or correction of abuse. But here, in the very moment of the conversion of a department of British government into an Indian mystery, and in the very act in which the change commences, a corrupt, private interest is set up in direct opposition to the necessities of the nation. A diversion is made of millions of the public money from the public treasury to a private purse. It is not into secret negotiations for war, peace, or alliance, that the House of Commons is forbidden to inquire. It is a matter of account ; it is a pecuniary



transaction ; it is the demand of a suspected steward upon ruined tenants and an embarrassed master, that the Commons of Great Britain are commanded not to inspect. The whole tenor of the right honourable gentleman's argument is consonant to the nature of his policy. The system of concealment is fostered by a system of falsehood. False facts, false colours, false names of persons and things, are its whole support. . . .

Madras, with its dependencies, is the second (but with a long interval, the second) member of the British Empire in the East. The trade of that city and the adjacent territory was, not very long ago, among the most flourishing in Asia. But since the establishment of the British power, it has wasted away under an uniform, gradual decline ; in so much that in the year 1779 not one merchant of eminence was to be found in the whole country. During this period of decay, about 600,000 sterling pounds a year have been drawn off by English gentlemen on their private account by the way of China alone. If we add £400,000 as probably remitted through other channels, and in other mediums, that is, in jewels, gold and silver, directly brought to Europe, and in bills upon the British and foreign companies, you will scarcely think the matter over-rated. If we fix the commencement of this extraction of money from the Carnatic at a period no earlier than the year 1760, and close it in the year 1780, it probably will not amount to a great deal less than twenty millions of money.

During the deep, silent flow of this steady stream of wealth, which set from India into Europe, it generally passed on with no adequate observation ; but happening

at some period to meet rifts of rocks that checked its course, it grew more noisy and attracted more notice. The pecuniary discussion caused by an accumulation of part of the fortunes of their servants in a debt from the Nabob of Arcot, was the first thing which very particularly called for, and long engaged the attention of the court of directors. This debt amounted to eight hundred and eighty thousand pounds sterling, and was claimed for the greater part, by English gentlemen, residing at Madras. This grand capital, settled at length by order at 10 per cent., afforded an annuity of eighty-eight thousand pounds.

Whilst the directors were digesting their astonishment at this information, a memorial was presented to them from three gentlemen, informing them that their friends had lent likewise to merchants of Canton in China, a sum of not more than one million sterling. In this memorial, they called upon the Company for their assistance and interposition with the Chinese government for the recovery of the debt. This sum lent to Chinese merchants, was at 24 per cent., which would yield, if paid, an annuity of two hundred and forty thousand pounds.

Perplexed as the directors were with these demands, you may conceive, Sir, that they did not find themselves very much disembarassed by being made acquainted that they must again exert their influence for a new reserve of the happy parsimony of their servants, collected into a second debt from the Nabob of Arcot, amounting to two millions four hundred thousand pounds, settled at an interest of twelve per cent. This is known by the name of the Consolidation of 1777, as the former of the

Nabob's debts was by the title of the Consolidation of 1767. To this was added in a separate parcel, a little reserve called the Cavalry debt, of one hundred and sixty thousand pounds, at the same interest. The whole of these four capitals, amounting to four millions four hundred and forty thousand pounds, produced at their several rates annuities amounting to six hundred and twenty-three thousand pounds a year ; a good deal more than one-third of the clear land tax of England, at four shillings in the pound ; a good deal more than double the whole annual dividend of the East India Company, the nominal masters of the proprietors in these funds. Of this interest, three hundred and eighty three thousand two hundred pounds a year stood chargeable on the public revenues of the Carnatic.

Sir, at this moment it will not be necessary to consider the various operations which the capital and interest of this debt have successively undergone. I shall speak to these operations when I come particularly to answer the right honourable gentleman on each of the heads, as he has thought proper to divide them. . . .

When this gigantic phantom of debt first appeared before a young minister, it naturally would have justified some degree of doubt and apprehension. . . . He would exorcise that shapeless, nameless form, and by everything sacred would have adjured it to tell by what means a small number of slight individuals, of no consequence, or situation, possessed of no lucrative offices, without the command of armies, or the known administration of revenues, without profession of any kind, without any sort of trade sufficient to employ a pedlar, could have,

in a few years (as to some, even in a few months) amassed treasures equal to the revenues of a respectable kingdom? Was it not enough to put these gentlemen, in the novitiate of their administration, on their guard, and to call upon them for a strict inquiry, that when all England, Scotland, and Ireland, had for years been witness to the immense sums laid out by the servants of the Company, in stocks of all denominations, in the purchase of lands, in the buying and building of houses, in the securing quiet seats in Parliament, or in the tumultuous riot of contested elections, in wandering throughout the whole range of those variegated modes of inventive prodigality, which sometimes have excited our wonder, sometimes roused our indignation; that after all, India was four millions still in debt to *them*? India in debt to *them*! For what? Every debt for which an equivalent of some kind or other is not given, is, on the face of it, a fraud. What is the equivalent they have given? What equivalent had they to give? What are the articles of commerce, or the branches of manufacture, which those gentlemen have carried hence to enrich India? What are the sciences they beamed out to enlighten it? What are the arts they introduced to cheer and to adorn it? What are the religious, what the moral institutions they have taught among that people as a guide to life, or as a consolation when life is to be no more, that there is an eternal debt, a debt, "still paying, still to owe," which must be bound on the present generation in India, and entailed on their mortgaged posterity for ever? A debt of millions in favour of a set of men, whose names, with few exceptions, are either buried in the obscurity of their



origin and talents, or dragged into light by the enormity of their crimes? . . . . .

If this body of private claims of debt, real or devised, were a question, as it is falsely pretended, between the Nabob of Arcot as debtor, and Paul Benfield and his associates as creditors, I should give myself but little trouble about it. . . . But the gentlemen on the other side of the House know as well as I do, they dare not contradict me, that the Nabob of Arcot and his creditors are not adversaries, but collusive parties, and that the whole transaction is under a false colour, and false names. The litigation is not, nor ever has been, between their rapacity and his hoarded riches. No; it is between him and them combining and confederating on one side, and the public revenues, and the miserable inhabitants of a ruined country, on the other. These are the real plaintiffs and the real defendants in the suit. . . . .

How they came to contract the debt to themselves, how they came to act as agents for those whom they ought to have controlled, is for your inquiry. The policy of this debt was announced to the court of directors by the very persons concerned in creating it. "Till very lately" (say the presidency), "the Nabob placed his dependence on the Company. Now he has been taught by ill advisers, that an interest out of doors may stand him in good stead. He has been made to believe that his private creditors have power and interest to over-rule the court of directors." The Nabob was not misinformed. The private creditors instantly qualified a vast number of votes: and having made themselves masters of the court of proprietors, as well as extending a powerful cabal in

other places as important, they so completely overturned the authority of the court of directors at home and abroad, that this poor baffled government was soon obliged to lower its tone. It was glad to be admitted into partnership with its own servants. The court of directors establishing the debt which they had reprobated as a breach of trust, and which was planned for the subversion of their authority, settled its payments on a par with those of the public ; and even so, were not able to obtain peace or even equality in their demands.

In fact, the creditors who had contracted those debts in the name of, but without the consent of the Company, were bidding fair to subvert the power of that organization in favour of the Nabob of Arcot. He kept up a large army which he was soon unable to pay. The troops mutinied ; he sought a loan. Enter, the soucar.

Here was a difficulty. The Nabob had no money ; the Company had no money ; every public supply was empty. But there was one resource which no season has ever yet dried up in that climate. The *soucars* were at hand ; that is, private English money-jobbers offered their assistance. Messieurs Taylor, Majendie, and Call proposed to advance the small sum of £160,000 to pay off the Nabob's black cavalry, provided the Company's authority was given for their loan. This was the great point of policy always aimed at, and pursued through a hundred devices, by the servants at Madras. The presidency, who themselves had no authority for the functions they presumed to exercise, very readily gave the sanction of the Company to those servants who knew that the Company, whose sanction was demanded, had positively prohibited all such transactions.

Accordingly, those English philanthropists agreed to lend the Nabob £160,000 at the rate of 12% (in reality 20 or 24%). But, as they had no ready money, payment of first instalment would not be made until after four months. Meanwhile, they gave the Nabob their bond, getting in return permission to collect revenue on one of his districts, as security. "Thus they condescended to accumulate a debt of £160,000 with an interest of 12% in compensation for a lingering payment to the Nabob of £160,000 of his own money." After two years, the loan was not fully paid, other troops mutinied now, and the Nabob, who seems deficient in a sense of humour, complained bitterly.

Here, Sir, you see how these causes and effects act upon one another. One body of troops mutinies for want of pay ; a debt is contracted to pay them ; and they still remain unpaid. A territory destined to pay other troops, is assigned for this debt ; and these other troops fall into the same state of indigence and mutiny with the first. Bond is paid by bond ; arrear is turned into new arrear ; usury engenders new usury ; mutiny suspended in one quarter, starts up in another ; until all the revenues and all the establishments are entangled in one inextricable knot of confusion, from which they are only disengaged by being entirely destroyed. In that state of confusion, in a very few months after the date of the memorial I have just read to you, things were found, when the Nabob's troops, famished to feed English *soucars*, instead of defending the country, joined the invaders, and deserted in entire bodies to Hyder Ali.

The manner in which this transaction was carried on shows that good examples are not easily forgotten, especially by those who are bred in a great school. One of those splendid examples give me leave to mention, at a somewhat more early period, because one fraud furnishes light to the discovery of another, and so on, until

the whole secret of mysterious iniquity bursts upon you in a blaze of detection. The paper I shall read you is not on record. If you please you may take it on my word. It is a letter written from one of undoubted information in Madras to Sir John Clavering.

“ . . . One mode,” says Clavering’s correspondent, “ of amassing money at the Nabob’s cost is curious. He is generally in arrears to the Company Here, the governor, being cash-keeper, is generally on good terms with the banker, who manages matters thus : the governor presses the Nabob for the balance due from him ; the Nabob flies to his banker for relief ; the banker engages to pay the money, and grants his notes accordingly, which he puts in the cash-book as ready money ; the Nabob pays him an interest for it at *two or three per cent. per mensem*, till the tunkaws he grants on the particular districts for it are paid. Matters in the meantime are so managed that there is no call for this money for the Company’s service till the tunkaws (assignments) become due. By this means not a cash is advanced by the banker, though he receives a heavy interest from the Nabob, which is divided as lawful spoil.”

Here, Mr. Speaker, you have the whole art and mystery, the true freemason secret of the profession of *soucaring* ; by which a few innocent, inexperienced young Englishmen, such as Mr. Paul Benfield, for instance, without property upon which anyone would lend to themselves a single shilling, are enabled at once to take provinces in mortgage, to make princes their debtors, and to become creditors for millions.

Having shown how the Chancellor of the Exchequer (the younger



Pitt) had countenanced the exactions of the creditors by restoring their exorbitant rates of interest, Burke comments thus :—

Let no man hereafter talk of the decaying energies of nature. All the acts and monuments in the records of peculation, the consolidated corruption of ages, the patterns of exemplary plunder in the heroic times of Roman iniquity, never equalled the gigantic corruption of this single act. Never did Nero, in all the insolent prodigality of despotism, deal out to his prætorian guards a donation fit to be named with the largess showered down by the bounty of our chancellor of the exchequer on the faithful band of his Indian sepoys.

The great fortunes made in India, in the beginnings of conquest, naturally excited an emulation in all the parts, and through the whole succession, of the Company's service. But in the Company it gave rise to other sentiments. They did not find the new channels of acquisition flow with equal riches to them. On the contrary, the high flood tide of private emolument was generally in the lowest ebb of their affairs. They began also to fear that the fortune of war might take away what the fortune of war had given. Wars were accordingly discouraged by repeated injunctions and menaces ; and that the servants might not be bribed into them by the native princes, they were strictly forbidden to take any money whatsoever from their hands. But vehement passion is ingenious in resources. The Company's servants were not only stimulated, but better instructed by the prohibition. They soon fell upon a contrivance which answered their purposes far better than the methods which were forbidden ; though in this also they violated an

ancient, but they thought an abrogated, order. They reversed their proceedings. Instead of receiving presents, they made loans. Instead of carrying on wars in their own name, they contrived an authority, at once irresistible and irresponsible, in whose name they might ravage at pleasure ; and being thus freed from all restraint, they indulged themselves in the most extravagant speculations of plunder. The cabal of creditors who have been the object of the late bountiful grant from his Majesty's ministers, in order to possess themselves under the name of creditors and assignees, of every country in India, as fast as it should be conquered, inspired into the mind of the Nabob of Arcot (then a dependent on the Company of the humblest order) a scheme of the most wild and desperate ambition, that I believe ever was admitted into the thoughts of a man so situated. First, they persuaded him to consider himself as a principal member in the political system of Europe. In the next place they held out to him, and he readily imbibed, the idea of the general empire of Indostan. As a preliminary to this undertaking, they prevailed on him to propose a tripartite division of that vast country. One part to the Company ; another to the Marattas ; and the third to himself. To himself he reserved all the southern part of the great peninsula, comprehended under the general name of the Deccan.

In pursuit of this policy, they ruined the Rajah of Tanjore, the oldest ally of the Company, plundered province after province and reduced the princes to servitude, until they crossed the path of Hyder Ali. Superb description of his descent upon the Carnatic, noble tribute to the former rulers of India.

Among the victims of this magnificent plan of universal plunder, worthy of the heroic avarice of the projectors,

you have all heard (and he has made himself to be well remembered) of an Indian Chief called Hyder Ali Khan. This man possessed the western, as the Company under the name of the Nabob of Arcot does the eastern, division of the Carnatic. It was among the leading measures in the design of this cabal (according to their own emphatic language) to *extirpate* this Hyder Ali. They declared the Nabob of Arcot to be his sovereign, and himself to be a rebel, and publicly invested their instrument with the sovereignty of the kingdom of Mysore. But their victim was not of the passive kind. They were soon obliged to conclude a treaty of peace and close alliance with this rebel at the gates of Madras. Both before and since that treaty, every principle of policy pointed out this power as a natural alliance ; and on his part, it was courted by every sort of amicable office. But the cabinet council of English creditors would not suffer their Nabob of Arcot to sign the treaty, or even to give to a prince, at least his equal, the ordinary titles of respect and courtesy. From that time forward, a continued plot was carried on within the divan, black and white, of the Nabob of Arcot, for the destruction of Hyder Ali. As to the outward members of the double, or rather treble, government of Madras, which had signed the treaty, they were always prevented by some over-ruling influence (which they do not describe, but which cannot be misunderstood) from performing what justice and interest combined so evidently to enforce.

When at length Hyder Ali found that he had to do with men who either would sign no convention, or whom no treaty and no signature could bind, and who were the

determined enemies of human intercourse itself, he decreed to make the country possessed by these incorrigible and predestinated criminals a memorable example to mankind. He resolved in the gloomy recesses of a mind capacious of such things, to leave the whole Carnatic an everlasting monument of vengeance, and to put perpetual desolation as a barrier between him and those, against whom the faith which holds the moral elements of the world together was no protection. He became at length so confident of his force, so collected in his might, that he made no secret whatsoever of his dreadful resolution. Having terminated his disputes with every enemy, and every rival, who buried their mutual animosities in their common detestation against the creditors of the Nabob of Arcot, he drew from every quarter whatever a savage ferocity could add to his new rudiments in the arts of destruction ; and compounding all the materials of fury, havoc and desolation, into one black cloud, he hung for a while on the declivities of the mountains. Whilst the authors of all these evils were idly and stupidly gazing on this menacing meteor, which blackened all their horizon, it suddenly burst, and poured down the whole of its contents upon the plains of the Carnatic. Then ensued a scene of woe, the like of which no eye had seen, no heart conceived, and which no tongue can adequately tell. All the horrors of war before known or heard of, were mercy to that new havoc. A storm of universal fire blasted every field, consumed every house, destroyed every temple. The miserable inhabitants flying from their flaming villages, in part were slaughtered ; others, without regard to sex, to age, to the respect of rank, or sacredness



of function, fathers torn from children, husbands from wives, enveloped in a whirlwind of cavalry, and amidst the goading spears of drivers, and the trampling of pursuing horses, were swept into captivity, in an unknown and hostile land. Those who were able to evade this tempest, fled to the walled cities. But escaping from fire, sword, and exile, they fell into the jaws of famine.

The alms of the settlement, in this dreadful exigency, were certainly liberal ; and all was done by charity that private charity could do ; but it was a people in beggary ; it was a nation which stretched out its hands for food. For months together these creatures of sufferance, whose very excess and luxury in their most plenteous days had fallen short of the allowance of our austere fasts, silent, patient, resigned, without sedition or disturbance, almost without complaint, perished by an hundred a day in the streets of Madras ; every day seventy at least laid their bodies in the streets, or on the glacis of Tanjore, and expired of famine in the granary of India. I was going to awake your justice towards this unhappy part of our fellow-citizens, by bringing before you some of the circumstances of this plague of hunger. Of all the calamities which beset and waylay the life of man, this comes the nearest to our heart, and is that wherein the proudest of us all feels himself to be nothing more than he is ; but I find myself unable to manage it with decorum ; these details are of a species of horror so nauseous and disgusting, they are so degrading to the sufferers and to the hearers ; they are so humiliating to human nature itself, that, on better thoughts, I find it more advisable

to throw a pall over this hideous object, and leave it to your general conceptions.

For eighteen months, without intermission, this destruction raged from the gates of Madras to the gates of Tanjore ; and so completely did these masters in their art, Hyder Ali and his more ferocious son, absolve themselves of their impious vow, that when the British armies traversed, as they did, the Carnatic for hundreds of miles in all directions, through the whole line of their march, they did not see one man, not one woman, not one child, not one four-footed beast of any description whatever. One dead, uniform silence reigned over the whole region, with the inconsiderable exceptions of the narrow vicinage of some few forts I wish to be understood as speaking literally ; I mean to produce to you more than three witnesses, above all exception, who will support this assertion in its full extent. That hurricane of war passed through every part of the central provinces of the Carnatic. Six or seven districts to the north and to the south (and these not wholly untouched) escaped the general ravage.

The Carnatic is a country not much inferior in extent to England. Figure to yourself, Mr. Speaker, the land in whose representative chair you sit ; figure to yourself the form and fashion of your sweet and cheerful country from Thames to Trent north and south, and from the Irish to the German Sea east and west, emptied and embowelled (May God avert the omen of our crimes !) by so accomplished a desolation. Extend your imagination a little farther, and then suppose your ministers taking a survey of this scene of waste and desolation ; what would be your thoughts if you should be informed, that

they were computing how much had been the amount of the excises, how much the customs, how much the land and malt tax, in order that they should charge (take it in the most favourable light) for public service, upon the relics of the satiated vengeance of relentless enemies, the whole of what England had yielded in the most exuberant seasons of peace and abundance? What would you call it? To call it tyranny, sublimed into madness, would be too faint an image; yet this very madness is the principle upon which the ministers at your right hand have proceeded in their estimate of the revenues of the Carnatic, when they were providing, not supply for the establishments of its protection, but rewards for the authors of its ruin.

Every day you are fatigued and disgusted with this cant, "the Carnatic is a country that will soon recover, and become instantly as prosperous as ever." They think that they are talking to innocents, who will believe that, by sowing of dragon's teeth, men will come up ready grown and ready armed. They who will give themselves the trouble of considering (for it requires no great reach of thought, no very profound knowledge) the manner in which mankind are increased, and countries cultivated, will regard all this raving as it ought to be regarded. In order that the people, after a long period of vexation and plunder, may be in a condition to maintain government, government must begin by maintaining them. Here the road to economy lies not through receipt, but through expense; and in that country nature has given no short cut to your object. Men must propagate, like other animals, by the mouth. Never did oppression light the

nuptial torch ; never did extortion and usury spread out the genial bed. Does any of you think that England, so wasted, would under such a nursing attendance, so rapidly and cheaply recover ? But he is meanly acquainted with either England or India, who does not know that England would a thousand times sooner resume population, fertility, and what ought to be the ultimate secretion from both, revenue, than such a country as the Carnatic.

The Carnatic is not by the bounty of nature a fertile soil. The general size of its cattle is proof enough that it is much otherwise. It is some days since I moved, that a curious and interesting map, kept in the India House, should be laid before you. The India House is not yet in readiness to send it ; I have therefore brought down my own copy, and there it lies for the use of any gentleman who may think such a matter worthy of his attention. It is indeed a noble map, and of noble things ; but it is decisive against the golden dreams and sanguine speculations of avarice run mad. In addition to what you know must be the case in every part of the world (the necessity of a previous provision of habitation, seed, stock, capital) that map will show you, that the uses of the influences of heaven itself are in that country a work of art. The Carnatic is refreshed by few or no living brooks or running streams, and it has rain only at a season ; but its product of rice exacts the use of water subject to perpetual command. This is the national bank of the Carnatic, on which it must have a perpetual credit, or it perishes irretrievably. For that reason, in the happier times of India, a number, almost incredible, of reservoirs have been made in chosen places throughout the whole country ;



they are formed for the greater part of mounds of earth and stones, with sluices of solid masonry ; the whole constructed with admirable skill and labour, and maintained at a mighty charge. In the territory contained in that map alone, I have been at the trouble of reckoning the reservoirs, and they amount to upwards of eleven hundred, from the extent of two or three acres to five miles in circuit. From these reservoirs currents are occasionally drawn over the fields, and these water-courses again call for a considerable expense to keep them properly scoured and duly levelled. Taking the district in that map as a measure, there cannot be in the Carnatic and Tanjore fewer than ten thousand of these reservoirs of the larger and middling dimensions, to say nothing of those for domestic services, and the uses of religious purification. These are not the enterprises of your power, nor in a style of magnificence suited to the taste of your minister. These are the monuments of real kings, who were the fathers of their people ; testators to a posterity which they embraced as their own. These are the grand sepulchres built by ambition ; but by the ambition of an insatiable benevolence, which, not contented with reigning in the dispensation of happiness during the contracted term of human life, had strained, with all the reachings and graspings of a vivacious mind, to extend the dominion of their bounty beyond the limits of nature, and to perpetuate themselves through generations of generations, the guardians, the protectors, the nourishers of mankind. . . . .

What, Sir, would a virtuous and enlightened ministry do on the view of the ruins of such works before them ?

On the view of such a chasm of desolation as that which yawned in the midst of those countries to the north and south, which still bore some vestiges of cultivation ? They would have reduced all their most necessary establishments ; they would have suspended the justest payments ; they would have employed every shilling derived from the producing, to reanimate the powers of the unproductive, parts. While they were performing this fundamental duty, whilst they were celebrating these mysteries of justice and humanity, they would have told the corps of fictitious creditors, whose crimes were their claims, that they must keep an awful distance ; that they must silence their inauspicious tongues ; that they must hold off their profane, unhallowed paws from this holy work ; they would have proclaimed with a voice that should make itself heard, that on every country the first creditor is the plough, that this original, indefeasible claim supersedes every other demand.

This is what a wise and virtuous ministry would have done and said. This, therefore, is what our minister could never think of saying or doing. A ministry of another kind would have first improved the country, and have thus laid a solid foundation for future opulence and future force. But on this grand point of the restoration of the country, there is not one syllable to be found in the correspondence of our ministers, from the first to the last ; they felt nothing for a land desolated by fire, sword, and famine ; their sympathies took another direction ; they were touched with pity for bribery, so long tormented with a fruitless itching of its palms ; their bowels yearned for usury, that had long missed the harvest

of its returning months ; they felt for peculation which had been for so many years raking in the dust of an empty treasury ; they were melted into compassion for rapine and oppression, licking their dry, parched, unbloody jaws. These were the objects of their solicitude. These were the necessities for which they were studious to provide.

Knowing that the revenue of the Carnatic had fallen to £800,000 a year, before the war, they nevertheless apportioned from it the sum of £480,000 annually "for paying to their rebellious servants a debt contracted in defiance of their clearest and most positive injunctions."

This Carnatic debt is the root of all the evil.

That debt forms the foul, putrid mucus in which are engendered the whole brood of creeping ascarides, all the endless involutions, the eternal knot, added to a knot of those inexpugnable tape-worms, which devour the nutriment, and eat up the bowels of India. It is necessary, Sir, you should recollect two things : First, that the Nabob's debt to the Company carries no interest. In the next place you will observe, that whenever the Company has occasion to borrow, she has always commanded whatever she thought fit at 8 per cent. Carrying in your mind these two facts, attend to the process with regard to the public and private debt, and with what little appearance of decency they play into each other's hands a game of utter perdition to the unhappy natives of India. The Nabob falls into an arrear to the Company. The presidency presses for payment. The Nabob's answer is, I have no money. Good. But there are *soucars* who will supply you on the mortgage of your territories. Then steps forward some Paul

Benfield, and from his grateful compassion to the Nabob, and his filial regard to the Company, he unlocks the treasures of his virtuous industry ; and, for a consideration of 24 or 36 per cent. on a mortgage of the territorial revenue, becomes security to the Company for the Nabob's arrear. . . . .

In consequence of this double game all the territorial revenues have, at one time or other, been covered by those locusts, the English *soucars*. Not one single foot of the Carnatic has escaped them ; a territory as large as England. During these operations what a scene has that country presented ! The usurious European assignee supersedes the Nabob's native farmer of the revenue ; the farmer flies to the Nabob's presence to claim his bargain ; whilst his servants murmur for wages, and his soldiers mutiny for pay. The mortgage to the European assignee is then resumed, and the native farmer replaced ; replaced, again to be removed on the new clamour of the European assignee. Every man of rank and landed fortune being long since extinguished, the remaining miserable last cultivator, who grows to the soil, after having his back scored by the farmer, has it again flayed by the whip of the assignee, and is thus by a ravenous, because a short-lived succession of claimants, lashed from oppressor to oppressor, whilst a single drop of blood is left as the means of extorting a single grain of corn. . .

Inconsistent conduct of ministers who having revived an old order of the Company against contracting private debts, give positive directions for contracting the debts they forbid.

They order the Nabob, out of the revenues of the Carnatic, to allot £480,000 a year, as a fund for



the debts before us. For the punctual payment of this annuity, they order him to give *soucar* security. When a *soucar*, that is, a money dealer, becomes security for any native prince, the course is for the native prince to counter-secure the money dealer, by making over to him in mortgage a portion of his territory, equal to the sum annually to be paid, with an interest of at least 24 per cent. The point for the House to know is, who are these *soucars*, to whom this security on the revenues in favour of the Nabob's creditors is to be given? The majority of the House, unaccustomed to these transactions, will hear with astonishment that these *soucars* are no other than the creditors themselves. The Minister, not content with authorising these transactions in a manner and to an extent un hoped for by the rapacious expectations of usury itself, loads the broken back of the Indian revenues, in favour of his worthy friends the *soucars*, with an additional 24 per cent. for being security to themselves for their own claims; for condescending to take the country in mortgage, to pay to themselves the fruits of their own extortions.

In addition, those men have saddled Tanjore, the ancient ally of England, with an unjustifiable tribute of £40,000 a year, due to their puppet, the Nabob of Arcot, who never claimed such tribute. Their care of the country.

Every one, but tolerably conversant in Indian affairs, must know that the existence of this little kingdom depends on its control over the river Cavery. The benefits of heaven to any community ought never to be connected with political arrangements, or made to depend on the personal conduct of princes; in which the mistake, or

error, or neglect, or distress, or passion of a moment on either side, may bring famine on millions, and ruin an innocent nation, perhaps for ages. The means of the subsistence of mankind should be as immutable as the laws of nature, let power and dominion take what course they may. Observe what has been done with regard to this important concern. The use of this river is indeed at length given to the Rajah, and a power provided for its enjoyment *at his own charge* ; but the means of furnishing that charge are wholly cut off. This use of the water which ought to have no more connection than clouds, and rains, and sunshine, with the politics of the Rajah, the Nabob, or the Company, is expressly contrived as a means of enforcing demands and arrears of tribute. This horrid and unnatural instrument of extortion has been a distinguishing feature in the enormities of the Carnatic politics, that loudly called for reformation. But the food of the whole people is by the reformers of India, conditioned on payments from its prince, at a moment that he is overpowered with a swarm of their demands, without regard to the ability of either prince or people.

Having instanced examples where the creditors were sheltered by Government, Burke passes on to an inquiry into the actions of the party thus favoured, and shows how, following Clive's precedent, they built up a parliamentary interest. He proceeds with what is practically an indictment of young Pitt.

Our wonderful minister, as you all know, formed a new plan, a plan *insigne recens indictum ore alio*, a plan for supporting the freedom of our Constitution by court intrigues, and for removing its corruptions by Indian delinquency. To carry that bold, paradoxical design into execution, sufficient funds and apt instruments became

necessary. You are perfectly sensible that a parliamentary reform occupies his thoughts day and night, as an essential member in this extraordinary project. In his anxious researches upon this subject, natural instinct, as well as sound policy, would direct his eyes and settle his choice, on Paul Benfield. Paul Benfield is the grand parliamentary reformer, the reformer to whom the whole choir of reformers bow, and to whom even the right honourable gentleman himself must yield the palm : for what region in the Empire, what city, what borough, what country, what tribunal in this kingdom, is not full of his labours ? Others have been only speculators, he is the grand practical reformer ; and whilst the chancellor of the exchequer pledges in vain the man and the minister, to increase the provincial members, Mr. Benfield has auspiciously and practically begun it. . . . Paul Benfield made (reckoning himself) no fewer than eight members in the last Parliament. What copious streams of pure blood must he not have transfused into the veins of the present !

But what is even more striking than the real services of this new imported patriot, is his modesty. As soon as he had conferred this benefit on the Constitution, he withdrew himself from our applause. He conceived that the duties of a member of Parliament, might be as well attended to in India as in England, and the means of reformation to Parliament itself be far better provided.

It was not, therefore, possible to consult him, but his agent and attorney, Mr. Richard Atkinson, was always there—" a name that will be remembered as long as the records of this House, as long as the records of the British treasury, as long as the monumental debt of England shall endure."

This gentleman, Sir, acts as attorney for Mr. Paul Benfield. Every one who hears me is well acquainted with the sacred friendship, and the steady, mutual attachment, that subsists between him and the present minister. As many members as chose to attend in the first session of this Parliament can best tell their own feelings at the scenes which were then acted. How much that honourable gentleman was consulted in the original frame and fabric of the Bill, commonly called Mr. Pitt's India Bill, is matter only of conjecture ; though by no means difficult to divine. But the public was an indignant witness of the ostentation with which that measure was made his own, and the authority with which he brought up clause after clause, to stuff and fatten the rankness of that corrupt Act. As fast as the clauses were brought up to the table they were accepted. No hesitation ; no discussion. They were received by the new minister, not with approbation, but with implicit submission. The reformation may be estimated by seeing who was the reformer. Paul Benfield's associate and agent was held up to the world as legislator of Hindostan. But it was necessary to authenticate the coalition between the men of intrigue in India, and the minister of intrigue in England, by a studied display of the power of this their connecting link. Every trust, every honour, every distinction was to be heaped upon him. He was at once made a director of the India Company ; made an alderman of London ; and to be made, if ministry could prevail, representative of the capital of this kingdom. But to secure his services against all risk, he was brought in for a ministerial borough. On his part, he was not wanting in zeal for the



common cause. His advertisements show his motives, and the merits upon which he stood. For your minister, this worn-out veteran submitted to enter into the dusty field of the London contest; and you all remember, that in the same virtuous cause he submitted to keep a sort of public office or counting-house, where the whole business of the last general election was managed. . . . It was managed upon Indian principles and for an Indian interest. This was the golden cup of abominations; this the chalice of the fornications of rapine, usury, and oppression, which was held out by the gorgeous Eastern harlot; which so many of the people, so many of the nobles, of this land had drained to the very dregs. Do you think that no reckoning was to follow this lewd debauch? that no payment was to be demanded for this riot of public drunkenness and national prostitution? Here! you have it here before you. The principal of the grand election manager must be indemnified; accordingly the claims of Benfield and his crew must be put above all enquiry.

Benfield's share in the "debt" was about £500,000. From prudential motives, he made it over to Taylor, Majendie and Call, and thus his name did not appear on the creditors' list. Burke describes his subsequent attempt on that respectable firm when matters grew threatening. He, too, shows how Benfield, getting control of the son of the Nabob of Arcot, used him against his father, just as Hastings used the son of Surajah Dowlah against his mother.

I believe, after this exposure of facts, no man can entertain a doubt of the collusion of ministers with the corrupt interest of the delinquents in India. Whenever those in authority provide for the interest of any person, on the real but concealed state of his affairs, without

regard to his avowed, public, and ostensible pretences, it must be presumed that they are in confederacy with him, because they act for him on the same fraudulent principles on which he acts for himself. It is plain that the ministers were fully apprized of Benfield's real situation, which he had used means to conceal whilst concealment answered his purposes. . . .

I have thus laid before you, Mr. Speaker, I think with sufficient clearness, the connexion of the ministers with Mr. Atkinson at the general election ; I have laid open to you the connexion of Atkinson with Benfield ; I have shown Benfield's employment of his wealth, in creating a parliamentary interest, to procure a ministerial protection ; I have set before your eyes his large concern in the debt, his practices to hide that concern from the public eye, and the liberal protection which he has received from the minister. If this chain of circumstances do not lead you necessarily to conclude that the minister has paid to the avarice of Benfield the services done by Benfield's connexions to his ambition, I do not know anything short of the confession of the party that can persuade men of his guilt. Clandestine and collusive practice can only be traced by combination and comparison of circumstances. To reject such combination and comparison is to reject the only means of detecting fraud : it is indeed to give it a patent and free licence to cheat with impunity.

That these oppressions exist, is a fact no more denied, than it is resented as it ought to be. Much evil has been done in India under British authority. What has been done to redress it ? We are no longer surprised at

anything. We are above the unlearned and vulgar passion of admiration. But it will astonish posterity when they read our opinions in our actions, that after ten years of enquiry, we have found out that the sole grievance of India consisted in this, that the servants of the Company there had not profited enough of their opportunities, nor drained it sufficiently of its treasures ; when they shall hear that the very first and only important act of a commission specially named by act of Parliament is to charge upon an undone country, in favour of a handful of men in the humblest ranks of the public service, the enormous sum of perhaps four millions of sterling money.

It is difficult for the most wise and upright government to correct the abuses of remote, delegated power, productive of unmeasured wealth, and protected by the boldness and strength of the same ill-got riches. These abuses, full of their own wild native vigour, will grow and flourish under mere neglect. But where the supreme authority, not content with winking at the rapacity of its inferior instruments, is so shameless and corrupt as openly to give bounties and premiums for disobedience to its laws, when it will not trust to the activity of avarice in the pursuit of its own gains, when it secures public robbery by all the careful jealousy and attention with which it ought to protect property from such violence, the commonwealth then is become totally perverted from its purposes ; neither God nor man will long endure it ; nor will it long endure itself. In that case, there is an unnatural infection, a pestilential taint fermenting in the constitution of society, which fever and convulsions of some kind or other must throw off ;

or in which the vital powers, worsted in an unequal struggle, are pushed back upon themselves, and, by a reversal of their whole functions, fester to gangrene, to death ; and, instead of what was but just now the delight and boast of the creation, there will be cast out in the face of the sun, a bloated, putrid, noisome carcass, full of stench and poison, an offence, a horror, a lesson to the world.

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## HENRY FLOOD (1732-1791).

## 1783.—RENUNCIATION SPEECH.

The repeal of the Declaratory Act (6th George I.) was not a repeal of the legal principle that acts passed in England had power to bind Ireland, neither was the mere denial of that power by Ireland herself sufficient in Flood's opinion. There should be an express renunciation on the part of England and an international compact. Flood was legally right. Of course, the only guarantee that such a renunciation would be respected was the existence of an armed force—the Irish Volunteers.

A voice from America shouted to liberty, the echo of it caught your people as it passed along the Atlantic, and they renewed the voice till it reverberated here. What followed? All the propositions that had been separately reprobated were now collectively adopted; the representatives of the people articulated at length the sense of their constituents. The case of Ireland originally stated by the great Molyneux, and burned at the revolution by the Parliament of England, is not now afraid of the fire; it has risen from that phœnix urn, and with the flames of its cradle it illuminates our isle! What is the result? It is now in your power, and I trust it will be in your wisdom to do final justice to the rights and interests of your country; for me, I hope I have not been peculiarly wanting to them. At an early period of my life,

on a question of embargo, in consequence of a proclamation founded on a British Act of Parliament, I brought the criminal gazette within these walls, and at your Bar I arraigned the delinquent. The House was alarmed, and I withdrew my question, on the proclamation being withdrawn. If you ask why I did not pursue it to a formal declaration of right, I answer, for I wish to be answerable to you for every part of my life : I answer that the time was not ripe for it. The first spring of the constitution is the elective power of the people : till that was reinforced by limiting the duration of Parliaments, little could be done. The people wanted constitutional privilege ; till the fabric of usurpation, founded on the law of Poynings, had been shaken to its foundation, little could be done ; the Parliament wanted conscious dignity till the people were armed ; everything could not be done ; the nation wanted military power. These were necessary antecedents. The public mind wanted much cultivation. The seed, too, was necessary to be sown, and if I have not been wanting to the preparations of the soil, may I not be permitted to watch over the harvest ? To that harvest too, as well as to every other, a prosperous season was necessary, and that season presented itself in the American war. When, therefore, the honourable member (Grattan) in the sunshine of that season, and of his own abilities, brought forward a declaration of rights in Lord Buckingham's government, after that administration had amended his proposition for the purpose of defeating it, I stepped forward, in office as I was, and at the hazard of that office, rescued the principle from the disgrace of a postponement, or from the ruin of rejec-

tion. In this session, too, I hope that my humble efforts have not been peculiarly wanting. In ability I will yield to many, in zeal to none ; and, if I have not served the public cause more than many men, this at least I may say, I have sacrificed as much to it. Do you repent of that sacrifice ? If I am asked, I answer " No." Who could repent of a sacrifice to truth and honour, to a country that he loves, and to a country that is grateful ? Do you repent of it ? No. But I should not rejoice in it, if it were only to be attended with a private deprivation, and not to be accompanied by all its gains to my country. I have a peculiar right, therefore, to be solicitous and ardent about the issue of it, and no man shall stop me in my progress.

Were the voice with which I utter this, the last effort of an expiring nature ; were the accent which conveys it to you, the breath that was to waft me to that grave to which we all tend, and to which my footsteps rapidly accelerate, I would go on ; I would make my exit by a loud demand of your rights ; and I call upon the God of truth and liberty who has often favoured you, and who has of late looked down upon you with such a peculiar grace and glory of protection, to continue to you his inspirings—to crown you with the spirit of his completion, and to assist you against the errors of those that are honest, as well as against the machinations of all that are not so.

I will now move you, That the opinion of all the judges be desired on the following question : " Does the repeal of the Declaratory Act amount, in legal construction, to a repeal or renunciation of the legal principle on which the Declaratory Act grounded itself ? "

Nothing ever was more judicious than the conduct of Great Britain on this occasion. She was so embarrassed abroad, and you were so strong at home, that she could not deny the repeal of the declaratory law. Yet it must ever be her wish to retain the principle of it, because it is the principle of power, which no nation has ever relinquished while it could maintain it.

If there be a pride of England, there is a pride of Ireland too. Now I ask which ought to give way, for one must, and I answer impartially, that which has the worst foundation. Now which is that? The pride of England in this case, is the pride of wrong, and the pride of usurpation. The pride of Ireland is the pride of right, the pride of justice, the pride of constitution. I will not ask you, after that, which ought to give way; but it is wrong to put this question principally upon pride.

But time is not necessary, negotiation alone is sufficient to undo you; you were not born to be negotiators; the negotiator is a dark, austere, inexorable character; you are soft, open, and persuadable; you have not the detailed knowledge, the systematical procrastination, the suspicious reserve, or the frigid perseverance of a negotiator. When have you negotiated that you have not lost? You negotiated at the Restoration, you negotiated at the Revolution, you negotiated at the augmentation of your army, you negotiated your free trade, you negotiated the Mutiny Bill. When have you demanded that you have not succeeded, and when have you negotiated that you have not been deceived?

There never was a time which required more consideration than the present; the national exertion began



in the last year of Lord Buckingham's administration, it is now drawing to a period, and whether that shall be glorious or otherwise depends on your wisdom. A short view of what we have done will be a guide to what we should do. We had groaned for a century under an increasing usurpation ; the American war broke out, and whilst we were called upon to shed our blood for Great Britain, we were insulted with the application of that principle to Ireland which had revolted America ; our feelings were exasperated by the application, and our trade was ruined by the war ; we saw ourselves beggars in fact, and slaves in assertion. The merchants flew to a non-importation agreement, the people flew to arms. Amidst this perturbation Parliament assembled, and we amended our address by the demand of a free constitution, that is of an exclusive legislature, on which all freedom of trade must depend—and therefore it was, that I did originally differ with some gentlemen, for I asserted that they had not obtained that freedom of trade of which they had boasted, because they had not obtained that freedom of Parliamentary constitution, without which a freedom of trade could not exist. We received from England a dilatory answer. We shortened our money grants to the crown—we shortened them to the subject. And the Irish public creditors to their immortal honour, embarked so fully with the rights of the nation, as cheerfully to accept of a six months' security. This rapid succession of sober and consistent efforts struck like lightning on the Ministry and Parliament of England ; all obstacles gave way ; our demand was to be granted in all its plentitude ; all the British statutes restrictive of our

foreign commerce were to be repealed ; and on that constitutional principle on which alone it would be welcome—a principle, which in that early period of this question, I took the first opportunity to lay down in clear, unambiguous, and categorical terms. What was that principle ? That, having a Parliament of our own, our foreign trade was necessarily free, and subject to no restrictions as to our ports, but such as our Parliament might impose. This principle, we were told, was admitted by England, as to our foreign trade, and pleaded by her in return, as to her own ports, and those of her own colonies. She admitted the principle which we claimed, and she said she would open to us her colony ports, on equal regulation of trade. The tidings of this emancipation, as it was idly called, landed in Ireland. The Post Office was illuminated by an emissary of the Castle ; the College took fire in the next instance by an unhappy contagion, and the city caught the flame in a regular and sympathetic succession. All sober consideration was lost in an ignorant clamour, and the steady pulse of the public yielded to a fever of exultation. What was the consequence ? England saw that we were surprised at our success, saw that we had asked more than we expected, concluded that we would accept of infinitely less, and determined that should be as little as she could. First, then, she determined not to repeal all her laws restrictive of our foreign commerce, yet, whilst an atom of such restriction remains, the total impeachment of your Constitution remains ; when, therefore, an artful resolution was prepared for this House, on that occasion, expressive of satisfaction in that enlarge-

ment of our *foreign* trade, I exclaimed against that word. If you thank the British Parliament, I said, for the enlargement of your foreign trade, you admit she can restrain it, you admit her legislative authority ; that is, you gain little in commerce, and you lose everything in constitution. I objected to the word *foreign*, therefore ; it belies Ireland, and it deceives Great Britain. The independent gentlemen of the day, however, did not feel, did not take up the principle, yet, though they did not take it up that day, they have felt it since ; and though the word was universally admitted then, there is not a man in the nation that would not reject it now. Such was the first of this business. Let us see how much worse we made it in the progress of negotiation. The language of England was the language of common sense. Ireland must have equal regulations of trade, she said, but equal taxes on home consumption she did not say ; equal regulations of trade may subsist between a poor country and a rich one, but equal taxes on consumption cannot. Now what has your negotiation made of it ? You have made your arrangement a tax-law in part, which ought to have been a trade-law in the whole ; that is to say, instead of a regulation in trade, you made it a regulation against trade, and a caustic regulation too. What regulation, indeed, can be much more adversary to trade, than a heavy tax on a raw material imported for the purpose of trade, and for the end of manufacture ? So pernicious are such taxes, that the ministers in England, whose profusion has brought them to that country, have endeavoured to extenuate their malignity by two regulations ; to console the manufacturer, they tell him

that they will open to him the foreign market, by giving him a drawback on his manufactures exported, equal to the tax on the imported material. And they tell him besides, that they will shut up for him the home market, and give him a monopoly of it. How? By laying a prohibitory duty on the manufacture imported from abroad; and what have they done as to manufactured sugars? They have laid a prohibitory duty upon them when imported into England from any other part of the world, Ireland even not excepted. What have we done? We have laid the same prohibitory duty on manufactured sugars imported into Ireland from any other part of the world; but we have excepted England, whereas she did not except Ireland. Now, there was much more reason for our excepting England, than there was for her excepting Ireland, and why? Because Ireland could never, by any possibility, be a rival in sugars to England in the English market, but England is actually a very formidable rival to Ireland in the Irish market. What is the fact? The Irish manufacturer of sugars has but one rival in the world, and that is the English manufacturer of them. And what have we done? We have given him the fullest security against all those that are not his rivals. And we have not given it to him against the only manufacturers that are his rivals; we have given him perfect protection where he is in no danger, and we have not given it to him where he is in all danger. We have done worse by him, we have not only given him as much security against his only rivals, as against those who are not at all his rivals; but we have not left him as much security against his only rivals as he always had before; that is to say, the



duty on the imported manufacture now bears a less proportion than ever it did before to the duty on the imported raw materials. By consequence his peril is greater, as his protection is less ; and his security being diminished, his danger is enhanced. But this is not all ; you have not done for him what England originally pointed out to you in his favour : she proposed equality as the principle of your regulation of trade ; we adopted it religiously in that part to which it was not applicable, and, where it was pernicious, I mean in the tax part ; and we only deserted it in the trade part, where alone it was applicable, and where alone it was beneficial. Such was the spirit in which we negotiated our free trade ; let us take care how we negotiate our free Constitution : but the error of that arrangement does not stop here. Its first principle was erroneous ; it set out with this maxim : That you were to pay for this as if it were an enlargement, and that you were to pay for it in tax, as if you had not paid it otherwise before. But what is the truth ? The sugars of Spain, Portugal, and France, would supply your manufactures, as well as the British West Indian Islands, and generally better ; if, whilst you retained those markets, England had opened her colony ports too, this would have been a new market, which is always an advantage to the buyer. But what is the case now ? You are suffered to go to the colony market of England, which is the English market in effect, and which is therefore her advantage ; but you give up for this all other, and some better markets, which is your advantage. Instead of its being an enlargement, therefore, this is more properly a restriction ; and instead of England's granting you a boon in this

matter, it is you that gave her a monopoly. Now, a monopoly is so much against the giver, and so much in favour of the obtainer of it, that no nation in its senses ever gives it to another. And if a part of an empire gives it to the head, it cannot be on a principle of trade, because a principle of trade is a principle of gain, whereas this is a principle of loss. On what principle alone can it be given? On a principle of empire. That is to say, in other words, it is a tax or a tribute, and that of the heaviest nature ; but, if you were to pay for it in taxes, besides paying for it by monopoly, it would be absurd to pay for it more than it was worth. Now take the whole West Indian commerce, take the utmost proportion of that commerce that could ever fall to your lot, take the utmost proportion of clear profit that can be supposed to accrue from that quantity of trade, and then take the utmost proportion of that clear profit that can be afforded to revenue, and I say it would never amount to that sum which you have agreed to pay on the instant for the contingency of this direct trade, with this additional absurdity, that if you should not be able to establish it, these additional duties will be equally payable upon your old circuitous trade, which before was free from them. Will you trust negotiation again? This arrangement cannot be justified on any commercial principle. Was any constitutional advantage obtained by it? Far from it: the very principle of the arrangement is hostile to the Constitution ; it gives to the British Parliament a virtual power of taxing you ; for what is the principle of it? That when England taxes a colony produce, you must tax it equally or give up the trade. Thus this arrange-

ment leaves both your trade and your money at the mercy of the Ministry and Parliament of England. Combine this with another law of the same period, the Mutiny Bill, therefore, and see what the result of both is. You complained that the British Parliament should make even a twelve-months law for your army; and what did you do to remedy it? You made an Act, that she should do it for ever. The two greatest powers in the management of human concerns, are the power of the purse, and the power of the sword. You did by these two laws, for so much, delegate away both of these great powers from yourselves to the British Parliament; that is to say, in the very moment that you talked of recovering your own authority, and denying that of the British legislature, you did everything you could to strengthen the power of that Parliament which you meant to overthrow, and to weaken the power of that Parliament which you meant to establish. I do not speak these things in order to say what is disagreeable to any man living, much less to say any thing disagreeable to that body, in defence of whose privileges I have lived these two and twenty years, and in defence of whose privileges I will die. I speak them from a deep conviction of their necessity. You see how you have been negotiated out of every thing, and how dangerous it is to negotiate again. You see how dangerous it is to exult too soon, or to imagine that any thing of this kind is done, while any thing remains undone. You see what a miserable end was made of Lord Buckingham's last session of Parliament, though it began with so much splendour; and as a part of this session has trod the steps of its glory,

I would warn the conclusion of it against the steps of its decline. To put a stop, therefore, to the danger of negotiation, and to accelerate the safety of an immediate repeal, and of a final renunciation, I move the resolution I have before stated to you.

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### 1783.—VINDICATION OF THE VOLUNTEERS.

Flood's Reform Bill, planned at the Volunteer Convention, gave rise to a bitter debate. Corollary of the Declaration of Rights and the Renunciation Bill, all the forces of corruption in the Irish Parliament were leagued against it, and Yelverton (Attorney-General) opposed the measure as emanating from a body of armed men. Grattan supported it in a half-hearted way. Finally, the motion was defeated by a majority of 80.

The decisive moment had come, but the abuse-bespattered Volunteers, or rather their unworthy leaders, shrank from the issue—the nation was not behind them. "Looking back over these events," says Mitchel, "one cannot resist the conclusion that if the Convention had generously and at once thrown open the door of the Constitution to the Catholics, Lord Charlemont might at this juncture have marched down to that den of corruption in College Green, cleared it out, and thereafter dictated his Reform Bill by way of general orders."

Sir, I have not mentioned the Bill as being the measure of any set of men or body of men whatsoever. I am as free to enter into the discussion of the Bill as any gentleman in this House, and with as little prepossession of what I shall propose. I prefer it to the House as the Bill of my right honourable friend who seconded me,—will you receive it from us?



In the last Parliament it was ordered "That leave be given for the more equal representation of the people in Parliament." This was in the Duke of Portland's administration, an administration the right honourable gentleman (Mr. Yelverton) professes to admire, and which he will not suspect of overturning the Constitution.

I own, from the turn which has been given to this question, I enter on it with the deepest anxiety. Armed with the authority of a precedent, I did not think anyone would be so desperate as to give such violent opposition to the simple introduction of a Bill. I now rise for the first time to speak on the subject, and I call on every man, auditor or spectator, in the House or in the galleries, to remember this truth—that if the Volunteers are introduced in this debate, it is not I who do so. The right honourable gentleman says, "If the Volunteers have approved it he will oppose it"; but I say I bring it in as a member of this House supported by the powerful aid of my right honourable friend (Mr. Brownlow) who sits behind me. We bring it in as Members of Parliament, never mentioning the Volunteers. I ask you, will you receive it from us—from us, your members, neither intending by anything within doors or without to intimidate or overawe you? I ask will you receive it as our Bill, or will you conjure up a military phantom of interposition to affright yourselves?

I have not introduced the Volunteers, but if they are aspersed I will defend their character against all the world. By whom were the commerce and the Constitution of this country recovered? By the Volunteers!

Why did not the right honourable gentleman make a

declaration against them when they lined our streets—when Parliament passed through the ranks of those virtuous, armed men to demand the rights of an insulted nation? Are they different men at this day, or is the right honourable gentleman different? He was then one of their body, he is now their accuser! He who saw the streets lined, who rejoiced, who partook in their glory, is now their accuser. Are they less wise, less brave, less ardent in their country's cause, or has their admirable conduct made him their enemy? May they not say, We have not changed, but you have changed? The right honourable gentleman cannot bear to hear of Volunteers; but I will ask him, and I will have a starling taught to halloo in his ear—Who gave you the Free Trade? Who got you the Free Constitution? Who made you a nation? The Volunteers!

If they were the men you describe them, why did you accept of their service? Why did you not then accuse them? If they were so dangerous, why did you pass through their ranks with your speaker at your head to demand a Constitution? Why did you not then fear the ills you now apprehend?

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## WALTER HUSSEY BURGH (1742-1783).

Burgh's contribution to the Free Trade debate assured his instant and lasting fame. At the celebrated words, "Talk not to me of peace, Ireland is not at peace. It is smothered war. England has sown her laws as dragon's teeth, and they have sprung up armed men," a roar of applause went up from the floor to the galleries, rolled back, and thundered through the doors of the House to the waiting crowd outside. A few moments later Burgh publicly resigned the office he held as Prime Sergeant. "The gates of promotion are shut," said Grattan prophetically, "and the gates of glory opened." By the autumn of 1783 "the fire of his manner, the silver tone of his voice, the inimitable graces of his action" were a memory, and although Lord Plunket considered "no modern speaker approached him in power of stirring the passions," few, if any, records of his admired speeches remain.

You have but two nights ago declared against new taxes, by a majority of 123, and have left the Ministers supported only by 47 votes ; if you now go back and accede to the proposed grant for two years, your compliance will add insult to the injuries already done to your ill-fated country. You strike a dagger in your own bosom, and destroy the fair prospect of commercial hope, because if the Minister can, in the course of two days, render void the animated spirit and patriotic stability of this House, and procure a majority, the British Minister will treat our applications for free trade with

contempt. When the interests of the Government and the people are contrary, they secretly operate against each other ; such a state is but smothered war. I shall be a friend alike to the Minister and the people, according as I find their desires guided by justice ; but at such a crisis as this the people must be kept in good temper, even to the indulgence of their caprices.

The usurped authority of a foreign Parliament has kept up the most wicked laws that a jealous, monopolising, ungrateful spirit could devise to restrain the bounty of Providence, and enslave a nation, whose inhabitants are recorded to be a brave, loyal, and generous people. By the English code of laws, to answer the most sordid views, they have been treated with a savage cruelty ; the words penalty, punishment, and Ireland, are synonymous, they are marked in blood on the margin of their statutes ; and, though time may have softened the calamities of the nation, the baneful and destructive influence of those laws has borne her down to a state of Egyptian bondage.

The English have sowed their laws like dragon's teeth, and they have sprung up armed men.



## HENRY GRATTAN (1746-1820).

## DECLARATION OF IRISH RIGHTS.

1780.—(April 19th.)

The gravity of the occasion on which this speech was delivered and the significance of its political import give it a high place in the history of the legislative relations between Ireland and England. It is a distinct denial of England's power to filch from the Irish Parliament the right to make laws for Ireland independent of English interference. The attack on this right, begun by Poynings' Act (10th Hen. VII.) culminated in the 6th George I., which declared Ireland a subordinate kingdom. The spirit of the speech may be summed up in Burke's aphorism, "Connivance is the relaxation of slavery, not the definition of liberty."

Sir, I have entreated an attendance on this day that you might, in the most public manner, deny the claim of the British Parliament to make law for Ireland, and with one voice, lift up your hands against it.

If I had lived when the 9th of William took away the woollen manufacture, or when the 6th of George the First declared this country to be dependent, and subject to laws to be enacted by the Parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power ; or, if I had a son, I should have administered to him an oath that he would consider

himself a person separate and set apart for the discharge of so important a duty ; upon the same principle am I now come to move a declaration of right, the first moment occurring, since my time, in which such a declaration could be made with any chance of success, and without aggravation of oppression.

Sir, it must appear to every person, that, notwithstanding the import of sugar, and export of woollens, the people of this country are not satisfied—something remains, the greater work is behind ; the public heart is not well at ease. To promulgate our satisfaction ; to stop the throats of millions with the votes of Parliament ; to preach homilies to the Volunteers ; to utter invectives against the people, under pretence of affectionate advice, is an attempt, weak, suspicious, and inflammatory.

You cannot dictate to those whose sense you are entrusted to represent ; your ancestors, who sat within these walls, lost to Ireland trade and liberty ; you, by the assistance of the people, have recovered trade ; you still owe the Kingdom liberty ; she calls upon you to restore it.

The ground of public discontent seems to be, “ We have gotten commerce, but not freedom ” : the same power which took away the export of woollens and the export of glass, may take them away again ; the repeal is partial, and the ground of repeal is upon a principle of expediency.

Sir, expedient is a word of appropriated and tyrannical import ; expedient is an ill-omened word, selected to express the reservation of authority, while the exercise is mitigated ; expedient is the ill-omened expression of the Repeal of the American stamp-act. England thought

it expedient to repeal that law ; happy had it been for mankind, if, when she withdrew the exercise, she had not reserved the right ! To that reservation she owes the loss of her American empire at the expense of millions, and America the seeking of liberty through a sea of bloodshed. The repeal of the woollen act, similarly circumstanced, pointed against the principle of our liberty, present relaxation, but tyranny in reserve, may be a subject for illumination to a populace, or a pretence for apostacy to a courtier, but cannot be the subject of settled satisfaction to a freeborn, an intelligent, and an injured community. It is, therefore, they consider, the free trade as a trade *de facto*, and not *de jure*, a license to trade under the Parliament of England, not a free trade under the charters of Ireland as a tribute to her strength ; to maintain which she must continue in a state of armed preparation, dreading the approach of a general peace, and attributing all she holds dear to the calamitous condition of the British interest in every quarter of the globe. This dissatisfaction, founded upon a consideration of the liberty we have lost, is increased when they consider the opportunity they are losing ; for if this nation, after the death-wound given to her freedom, had fallen on her knees in anguish, and besought the Almighty to frame an occasion in which a weak and injured people might recover their rights, prayer could not have asked, nor God have furnished, a moment more opportune for the restoration of liberty, than this, in which I have the honour to address you.

England now smarts under the lesson of the American war ; the doctrine of Imperial legislature she feels to be

pernicious ; the revenues and monopolies annexed to it she has found to be untenable, she lost the power to enforce it ; her enemies are a host, pouring upon her from all quarters of the earth ; her armies are dispersed ; the sea is not hers ; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced ; the balance of her fate is in the hands of Ireland ; you are not only her last connection, you are the only nation in Europe that is not her enemy. Besides, there does of late, a certain damp and spurious supineness overcast her arms and councils, miraculous as that vigour which has lately inspirited yours ; for with you everything is the reverse ; never was there a Parliament in Ireland so possessed of the confidence of the people ; you are the greatest political assembly now sitting in the world ; you are at the head of an immense army ; nor do we only possess an unconquerable force, but a certain unquenchable public fire, which has touched all ranks of men like a visitation.

Turn to the growth and spring of your country, and behold and admire it ; where do you find a nation who, upon whatever concerns the rights of mankind, expresses herself with more truth or force, perspicuity or justice ? not the set phrase of scholastic men, not the tame unreality of court addresses, not the vulgar raving of a rabble, but the genuine speech of liberty, and the unsophisticated oratory of a free nation.

See her military ardour expressed not only in 40,000 men, conducted by instinct as they were raised by inspiration, but manifested in the zeal and promptitude of every young member of the growing community. Let corrup-



tion tremble ; let the enemy, foreign or domestic, tremble ; but let the friends of liberty rejoice at these means of safety and this hour of redemption. Yes ; there does exist an enlightened sense of rights, a young appetite for freedom, a solid strength, and a rapid fire, which not only put a declaration of right within your power, but put it out of your power to decline one. Eighteen counties are at your bar ; they stand there with the compact of Henry, with the charter of John, and with all the passions of the people. “ Our lives are at your service, but our liberties—we received them from God ; we will not resign them to man.” Speaking to you thus, if you repulse these petitioners, you abdicate the privileges of Parliament, forfeit the rights of the kingdom, repudiate the instruction of your constituents, bilge the sense of your country, palsy the enthusiasm of the people, and reject the good which not a minister, not a Lord North, not a Lord Buckinghamshire, not a Lord Hillsborough, but a certain providential conjuncture, or rather the Hand of God, seems to extend to you. Nor are we only prompted to this when we consider our strength ; we are challenged to it when we look to Great Britain. The people of that country are now waiting to hear the Parliament of Ireland speak on the subject of their liberty ; it begins to be made a question in England whether the principal persons wish to be free : it was the delicacy of former Parliaments to be silent on the subject of commercial restrictions, lest they should show a knowledge of the fact, and not a sense of the violation ; you have spoken out, you have shown a knowledge of the fact, and not a sense of the violation. On the contrary, you have returned thanks for a partial

repeal made on a principle of power ; you have returned thanks as for a favour, and your exultation has brought your charters as well as your spirit into question, and tends to shake to her foundation your title to liberty : thus you do not leave your rights where you found them. You have done too much not to do more ; you have gone too far not to go on ; you have brought yourselves into that situation, in which you must silently abdicate the rights of your country, or publicly restore them. It is very true you may feed your manufacturers, and landed gentlemen may get their rents, and you may export woollen, and may load a vessel with baize, serges, and kerseys, and you may bring back again directly from the plantations, sugar, indigo, speckle-wood, beetle-root, and panellas. But liberty, the foundation of trade, the charters of the land, the independency of Parliament, the securing, crowning, and the consummation of everything, are yet to come. Without them, the work, is imperfect, the foundation is wanting, the capital is wanting, trade is not free, Ireland is a colony without the benefit of a charter, and you are a provincial synod without the privileges of a parliament.

I read Lord North's proposition ; I wish to be satisfied, but I am controlled by a paper, I will not call it a law, it is the Sixth of George the First. (The paper was read.) I will ask the gentlemen of the long robe is this law ? I ask them whether it is not practice ? I appeal to the judges of the land, whether they are not in a course of declaring that the Parliament of Great Britain, naming Ireland, binds her ? I appeal to the magistrates of justice, whether they do not, from time to time, execute certain acts

of the British Parliament ? I appeal to the officers of the army, whether they do not fine, confine, and execute their fellow-subjects by virtue of the Mutiny Act, an act of the British Parliament ; and I appeal to this House whether a country so circumstanced is free. Where is the freedom of trade ? where is the security of property ? where is the liberty of the people ? I here, in this Declamatory Act, see my country proclaimed a slave ! I see every man in this House enrolled a slave ! I see the judges of the realm, the oracles of the law, borne down by an unauthorized foreign power, by the authority of the British Parliament against the law ! I see the magistrates prostrate, and I see Parliament witness of these infringements, and silent—silent, or employed to preach moderation to the people, whose liberties it will not restore !—I therefore say, with the voice of 3,000,000 of people, that notwithstanding the import of sugar, beetle-wood, and panellas, and the export of woollens and kerseys, nothing is safe, satisfactory, or honourable, nothing except a Declaration of Right. What ! are you with 3,000,000 of men at your back, with charters in one hand and arms in the other, afraid to say you are a free people ? Are you, the greatest House of Commons that ever sat in Ireland, that want but this one act to equal that English House of Commons that passed the Petition of Right, or that other that passed the Declaration of Right, are you afraid to tell that British Parliament you are a free people ? Are the cities and the instructing counties, who have breathed a spirit that would have done honour to old Rome when Rome did honour to mankind ; are they to be free by connivance ? Are the military associations, those bodies

whose origin, progress, and deportment have transcended, equalled at least, anything in modern or ancient story—is the vast line of northern army, are they to be free by connivance? What man will settle among you? Where is the use of the Naturalization Bill? What man will settle among you? Who will leave a land of liberty and a settled Government for a kingdom controlled by the Parliament of another country, whose liberty is a thing by stealth, whose trade a thing by permission, whose judges deny her charters, whose Parliament leaves everything at random; where the chance of freedom depends upon the hope that the jury shall despise the judge stating a British Act, or a rabble stop the magistrate executing it, rescue your abdicated privileges, and save the Constitution by trampling on the Government, by anarchy and confusion?

But I shall be told, that these are groundless jealousies, and that the principal cities, and more than one half of the counties of the Kingdom, are misguided men, raising those groundless jealousies. Sir, let me become, on this occasion, the people's advocate, and your historian; the people of this country were possessed of a code of liberty similar to that of Great Britain, but lost it through the weakness of the kingdom and the pusillanimity of its leaders. Having lost our liberty by the usurpation of the British Parliament, no wonder we became a prey to her ministers, and they did plunder us with all the hands of all the harpies, for a series of years, in every shape of power, terrifying our people with the thunder of Great Britain, and bribing our leaders with the rapine of Ireland. The Kingdom became a plantation, her Parliament,



deprived of its privileges, fell into contempt ; and with the legislature, the law, the spirit of liberty, with her forms, vanished. If a war broke out, as in 1778, and an occasion occurred to restore liberty and restrain rapine, Parliament declined the opportunity ; but, with an active servility and trembling loyalty, gave and granted, without regard to the treasure we had left, or the rights we had lost. If a partial reparation was made upon a principle of expediency, Parliament did not receive it with the tranquil dignity of an august assembly but with the alacrity of slaves.

The principal individuals, possessed of great property but no independency, corrupted by their extravagance, or enslaved by their following a species of English factor against an Irish people, more afraid of the people of Ireland than the tyranny of England, proceeded to that excess, that they opposed every proposition to lessen profusion, extend trade, or promote liberty ; they did more, they supported a measure which, at one blow, put an end to all trade ; they did more, they brought you to a condition which they themselves did unanimously acknowledge a state of impending ruin ; they did this, talking as they are now talking, arguing against trade as they now argue against liberty, threatening the people of Ireland with the power of the British nation, and imploring them to rest satisfied with the ruins of their trade, as they now implore them to remain satisfied with the wreck of their Constitution . . . .

Sir, we may hope to dazzle with illumination, and we may sicken with addresses, but the public imagination will never rest, nor will her heart be well at ease—never !

so long as the Parliament of England exercises or claims a legislation over this country ; so long as this shall be the case, that very free trade, otherwise a perpetual attachment, will be the cause of new discontent ; it will create a pride to feel the indignity of bondage ; it will furnish a strength to bite your chain, and the liberty withheld will poison the good communicated.

The British minister mistakes the Irish character : had he intended to make Ireland a slave, he should have kept her a beggar ; there is no middle policy ; win her heart by the restoration of her right, or cut off the nation's right hand ; greatly emancipate, or fundamentally destroy. We may talk plausibly to England, but so long as she exercises a power to bind this country, so long are the nations in a state of war ; the claims of the one go against the liberty of the other, and the sentiments of the latter go to oppose those claims to the last drop of her blood. The English opposition, therefore, are right ; mere trade will not satisfy Ireland—they judge of us by other great nations, by the nation whose political life has been a struggle for liberty ; they judge of us with a true knowledge of, and a just deference for, our character—that a country enlightened as Ireland, chartered as Ireland, armed as Ireland, and injured as Ireland, will be satisfied with nothing less than liberty.

I admire that public-spirited merchant (Alderman Horan), who spread consternation at the Custom House, and, despising the example which great men afforded, determined to try the question, and tendered for entry what the British Parliament prohibits the subject to export, some articles of silk, and sought at his private risk the

liberty of his country ; with him I am convinced it is necessary to agitate the question of right. In vain will you endeavour to keep it back, the passion is too natural, the sentiment is too irresistible ; the question comes on of its own vitality—you must reinstate the laws.

There is no objection to this resolution, except fears ; I have examined your fears ; I pronounce them to be frivolous. I might deny that the British nation was attached to the idea of binding Ireland ; I might deny that England was a tyrant at heart ; and I might call to witness the odium of North and the popularity of Chatham, her support of Holland, her contributions to Corsica, and the charters communicated to Ireland ; but ministers have traduced England to debase Ireland ; and politicians, like priests, represent the power they serve as diabolical, to possess with superstitious fears the victim they design to plunder. If England is a tyrant, it is you have made her so : it is the slave that makes the tyrant, and then murmurs at the master whom he himself has constituted. I do allow on the subject of commerce, England was jealous in the extreme, and I do say it was commercial jealousy, it was the spirit of monopoly (the woollen trade and the Act of Navigation had made her tenacious of a comprehensive legislative authority), and having now ceded that monopoly, there is nothing in the way of your liberty except your own corruption and pusillanimity ; and nothing can prevent your being free except yourselves. It is not in the disposition of England ; it is not in the interest of England ; it is not in her arms. What ! can 8,000,000 of Englishmen, opposed to 20,000,000 of French, to 7,000,000 of Spanish, to 3,000,000

of Americans reject the alliance of 3,000,000 in Ireland? Can 8,000,000 of British men, thus outnumbered by foes, take upon their shoulders the expense of an expedition to enslave you? Will Great Britain, a wise and magnanimous country, thus tutored by experience and wasted by war, the French navy riding in her Channel, send an army to Ireland, to levy no tax, to enforce no law, to answer no end whatsoever, except to spoliage the charters of Ireland, and enforce a barren oppression? What! has England lost thirteen provinces? has she reconciled herself to this loss, and will she not be reconciled to the liberty of Ireland? Take notice that the very Constitution which I move you to declare, Great Britain herself offered to America: it is a very instructive proceeding in the British history. In 1778 a commission went out, with powers to cede to the thirteen provinces of America, totally and radically, the legislative authority claimed over her by the British Parliament, and the Commissioners, pursuant to their powers, did offer to all, or any, of the American States, the total surrender of the legislative authority of the British Parliament. I will read their letter to the Congress. (Here the letter surrendering power was read). What! has England offered this to the resistance of America, and will she refuse it to the loyalty of Ireland? Your fears then are nothing but an habitual subjugation of mind; that subjugation of mind which made you, at first, tremble at every great measure of safety; which made the principal men amongst us conceive the commercial association would be a war; that fear, which made them imagine the military association had a tendency to treason; which made them think a short money-bill



would be a public convulsion ; and yet these measures have not only proved to be useful but are held to be moderate, and the Parliament that adopted them, praised, not for its unanimity only, but for its temper also. You now wonder that you submitted for so many years to the loss of the woollen trade and the deprivation of the glass trade ; raised above your former abject state in commerce, you are ashamed at your past pusillanimity, so when you have summoned a boldness which shall assert the liberties of your country—raised by the act, and reinvested, as you will be, in the glory of your ancient rights and privileges, you will be surprised at yourselves, who have so long submitted to their violation. Moderation is but a relative term ; for nations, like men, are only safe in proportion to the spirit they put forth, and the proud contemplation with which they survey themselves. Conceive yourselves a plantation, ridden by an oppressive Government, and everything you have done is but a fortunate phrensy ; conceive yourselves to be what you are, a great, a growing, and a proud nation, and a Declaration of Right is no more then the safe exercise of your indubitable authority. . . . .

I shall hear of ingratitude : I name the argument to despise it and the men who make use of it : I know the men who use it are not grateful, they are insatiate ; they are public extortioners, who would stop the tide of public prosperity, and turn it to the channel of their own emolument : I know of no species of gratitude which should prevent my country from being free, no gratitude, which should oblige Ireland to be the slave of England. In cases of robbery and usurpation, nothing is an object of gratitude

except the thing stolen, the charter spoliated. A nation's liberty cannot, like her treasures, be meted and parcelled out in gratitude : no man can be grateful or liberal of his conscience, nor woman of her honour, nor nation of her liberty : there are certain unimpartable, inherent, invaluable properties, not to be alienated from the person, whether body politic or body natural. With the same contempt do I treat that charge which says that Ireland is insatiable ; saying, that Ireland asks nothing but that which Great Britain has robbed her of, her rights and privileges ; to say that Ireland will not be satisfied with liberty, because she is not satisfied with slavery, is folly. I laugh at that man who supposes that Ireland will not be content with a free trade and a free constitution ; and would any man advise her to be content with less ?

I shall be told that we hazard the modification of the law of Poynings' and the Judges' Bill, and the Habeas Corpus Bill, and the Nullum Tempus Bill ; but I ask, have you been for years begging for these little things, and have not you yet been able to obtain them ? and have you been contending against a little body of eighty men in Privy Council assembled, convocating themselves into the image of a Parliament, and ministering your high office ? and you have been contending against one man, a humble individual, to you a Leviathan—the English Attorney-General—who advises in the case of Irish bills, and exercises legislation in his own person, and makes your parliamentary deliberations a blank, by altering your bills or suppressing them ? and have you not yet been able to conquer this little monster ! Do you wish to know the reason ? I will tell you : because you have not been a Parliament,

nor your country a people. Do you wish to know the remedy?—be a Parliament, become a nation, and these things will follow in the train of your consequence. I shall be told that titles are shaken, being vested by force of English acts; but in answer to that, I observe time may be a title, acquiescence a title, forfeiture a title, but an English act of Parliament certainly cannot: it is an authority, which, if a judge would charge, no jury would find, and which all the electors in Ireland have already disclaimed unequivocally, cordially, and universally.

I shall be told that the judges will not be swayed by the resolution of this House. Sir, that the judges will not be borne down by the resolutions of Parliament, not founded in law, I am willing to believe; but the resolutions of this House, founded in law, they will respect most exceedingly.

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The same laws, the same charters, communicate to both kingdoms, Great Britain and Ireland, the same rights and privileges; and one privilege above them all is that communicated by Magna Charta, by the 25th of Edward the Third, and by a multitude of other statutes, “not to be bound by any act except made with the archbishops, bishops, earls, barons and freemen of the commonalty,” viz., of the Parliament of the realm. On this right of exclusive legislation are founded the Petition of Right, Bill of Right, Revolution and Act of Settlement. The King has no other title to his crown than that which you have to your liberty; both are founded, the throne and your freedom, upon the right vested in the subject to resist by arms, notwithstanding their oaths of allegiance,

any authority attempting to impose acts of power as laws, whether that authority be one man or a host, the second James, or the British Parliament !

Every argument for the House of Hanover is equally an argument for the liberties of Ireland : the Act of Settlement is an act of rebellion, or the declaratory statute of the 6th of George the First an act of usurpation ; for both cannot be law. . . .

And as anything less than liberty is inadequate to Ireland, so is it dangerous to Great Britain. We are too near the British nation, we are too conversant with her history, we are too much fired by her example, to be anything less than her equal ; anything less, we should be her bitterest enemies—an enemy to that power which smote us with her mace, and to that Constitution from whose blessings we were excluded : to be ground as we have been by the British nation, bound by her Parliament, plundered by her crown, threatened by her enemies, insulted with her protection, while we returned thanks for her condescension, is a system of meanness and misery which has expired in our determination, as I hope it has in her magnanimity.

There is no policy left for Great Britain but to cherish the remains of her empire, and do justice to a country who is determined to do justice to herself, certain that she gives nothing equal to what she received from us when we gave her Ireland.

With regard to this country, England must resort to the free principles of government, and must forget that legislative power which she has exercised to do mischief to herself ; she must go back to freedom, which, as it



is the foundation of her Constitution, so is it the main pillar of her empire ; it is not merely the connection of the crown, it is a constitutional annexation, an alliance of liberty, which is the true meaning and mystery of the sisterhood, and will make both countries one arm and one soul, replenishing from time to time, in their immortal connection, the vital spirit of law and liberty from the lamp of each other's light ; thus combined by the ties of common interest, equal trade and equal liberty, the Constitution of both countries may become immortal, a new and milder empire may arise from the errors of the old, and the British nation assume once more her natural station—the head of mankind.

That there are precedents against us I allow—acts of power I would call them, not precedents ; and I answer the English pleading such precedents, as they answered their kings when they urged precedents against the liberties of England : Such things are the weakness of the times ; the tyranny of one side, the feebleness of the other, the law of neither ; we will not be bound by them ; or rather, in the words of the Declaration of Right, “no doing judgment, proceeding, or anywise to the contrary, shall be brought into precedent or example.” Do not then tolerate a power—the power of the British Parliament over this land, which has no foundation in utility or necessity, or empire, or the laws of England, or the laws of Ireland, or the laws of nature, or the laws of God—do not suffer it to have a duration in your mind.

Do not tolerate that power which blasted you for a century, that power which shattered your loom, banished your manufactures, dishonoured your peerage, and

stopped the growth of your people ; do not, I say, be bribed by an export of woollen, or an import of sugar, and permit that power which has thus withered the land to remain in your country and have existence in your pusillanimity.

Do not suffer the arrogance of England to imagine a surviving hope in the fears of Ireland ; do not send the people to their own resolves for liberty, passing by the tribunals of justice and the high court of Parliament ; neither imagine that, by any formation of apology, you can palliate such a commission to your hearts, still less to your children, who will sting you with their curses in your grave for having interposed between them and their Maker, robbing them of an immense occasion, and losing an opportunity which you did not create, and can never restore.

Hereafter, when these things shall be history, your age of thralldom and poverty, your sudden resurrection, commercial redress, and miraculous armament, shall the historian stop at liberty, and observe—that here the principal men among us fell into mimic trances of gratitude—they were awed by a weak ministry, and bribed by an empty treasury—and when liberty was within their grasp, and the temple opened her folding doors, and the arms of the people clanged, and the zeal of the nation urged and encouraged them on, that they fell down, and were prostituted at the threshold.

I might, as a constituent, come to your bar, and demand my liberty. I do call upon you, by the laws of the land and their violation, by the instruction of eighteen counties, by the arms, inspiration, and providence of the present

moment, tell us the rule by which we shall go—assert the law of Ireland—declare the liberty of the land.

I will not be answered by a public lie, in the shape of an amendment ; neither, speaking for the subjects' freedom, am I to hear of faction. I wish for nothing but to breathe, in this our island, in common with my fellow-subjects, the air of liberty. I have no ambition, unless it be the ambition to break your chain, and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags ; he may be naked, he shall not be in iron ; and I do see the time is at hand, the spirit is gone forth, the declaration is planted ; and though great men should apostatize, yet the cause will live ; and though the public speaker should die, yet the immortal fire shall outlast the organ which conveyed it, and the breath of liberty, like the word of the holy man, will not die with the prophet, but survive him.

I shall move you, " That the King's most excellent Majesty, and the Lords and Commons of Ireland, are the only power competent to make laws to bind Ireland."

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### CATHOLIC QUESTION.

1782.—(February 20).

The question is now, whether we shall grant Roman Catholics the power of enjoying estates—whether we shall be a Protestant settlement or an Irish nation ? Whether we shall throw open the gates of the temple of liberty to all our countrymen, or whether we shall confine them in

bondage by penal laws? So long as the penal code remains, we never can be a great nation. The penal code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell or perish in it.

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## RIGHTS OF IRELAND.

1782.—(February 22).

This brings the claim of England to a mere question of force. It is a right which Swift, I think it is Swift, has explained—the right of the grenadier to take the property of a naked man. I add, this man has now gotten back his arms, and begs to get back his property.

Before you decide on the practicability of being slaves for ever, look to America. Do you see nothing in that America but the grave and prison of your armies? Do you not see in her range of territory, cheapness of living, variety of climate, and simplicity of life—the drain of Europe? Whatever is bold and disconsolate, sullen virtue and wounded pride; all, all to that point will precipitate; and what you trample on in Europe will sting you in America.

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## TRIUMPH OF IRISH INDEPENDENCE.

April 16, 1782, is one of the memorable dates in Irish history. Despite physical suffering, and a skilfully conducted opposition, Henry Grattan redeemed the pledge he had given, March, 14th, when he declared he would



again bring before the House the question of legislative independence. He demanded repeal of :—The Declaratory Statute, George I., The Perpetual Munity Bill, and abolition of the unconstitutional powers of the Privy Council. His resolutions were triumphantly carried.

I am now to address a free people : ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance.

I found Ireland on her knees, I watched over her with a paternal solicitude ; I have traced her progress from injuries to arms, and from arms to liberty. Spirit of Swift ! spirit of Molyneux ! your genius has prevailed. Ireland is now a nation. In that new character I hail her, and bowing to her august presence, I say, *Esto perpetua !*

She is no longer a wretched colony, returning thanks to her governor for his rapine, and to her king for his oppression ; nor is she now a squabbling, fretful sectary, perplexing her little wits, and firing her furious statutes with bigotry, sophistry, disabilities, and death, to transmit to posterity insignificance and war. . . . .

You, with difficulties innumerable, with dangers not a few, have done what your ancestors wished, but could not accomplish ; and what your posterity may preserve, but will never equal : you have moulded the jarring elements of your country into a nation. You had not the advantages which were common to other great countries ;

no monuments, no trophies, none of those outward and visible signs of greatness, such as inspire mankind and connect the ambition of the age which is coming on with the example of that going off, and form the descent and concatenation of glory : no ; you have not had any great act recorded among all your misfortunes, nor have you one public tomb to assemble the crowd, and spread to the living the language of integrity and freedom.

Your historians did not supply the want of monuments ; on the contrary, these narrators of your misfortunes, who should have felt for your wrongs, and have punished your oppressors with oppressions, natural scourges, the moral indignation of history, compromised with public villainy and trembled ; they excited your violence, they suppressed your provocation, and wrote in the chain which entrammelled their country. I am come to break that chain, and I congratulate my country, who, without any of the advantages I speak of, going forth, as it were, with nothing but a stone and a sling, and what oppression could not take away, the favour of Heaven, accomplished her own redemption, and left you nothing to add and everything to admire.

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### IRISH FEELING.

1785.—(September 6).

Regard, I acknowledge, should be constantly had to the general welfare of the whole empire, whenever it is really concerned ; but let me add, that general welfare should never be made a pretence, nor be artificially and

wantonly introduced ; and in an arrangement, where Irish trade is professedly the subject, that trade ought to be expressly the object. I laugh at those Irish gentlemen who talk as if they were the representatives of something higher than their native land—the representatives of empire, not of Ireland ; but so talking and so acting, they will be in fact the representatives of their salary. Let me tell those gentlemen, if they are not Irishmen, they are nothing ; and if we are not the representatives of Ireland, we are nothing.

Let me, therefore, caution my country against the revival of this bill, and against those arguments which have a tendency to put down the pretensions of Ireland, and humble the pride of the Irish nation. Public pride is the best champion of public liberty. Cherish it, for if ever this kingdom shall fall in her own esteem, shall labour under a prepossession of impotence, shall conceive she cannot have the necessaries of life or manufacture, but from the charity of another country, in short, that God and nature have put her in a state of physical bondage, I say, if once this becomes her sentiment, your laws are nothing, your charters are paper, and Ireland is a slave with Magna Charta in her hand. Let us not then put down our native land, and rob her of her pride to rob her of her Constitution.

## TITHES.

1788.—(February 14).

Let bigotry and schism, the zealot's fire, the high-priest's intolerance, through all their discordancy, tremble, while an enlightened Parliament, with arms of general protection, overarches the whole community, and roots the Protestant ascendancy in the sovereign mercy of its nature. Laws of coercion, perhaps necessary, certainly severe, you have put forth already, but your great engine of power you have hitherto kept back ; that engine which the pride of the bigot, nor the spite of the zealot, nor the ambition of the high-priest, nor the arsenal of the conqueror, nor the inquisition, with its jaded rack and pale criminal, never thought of ; the engine which, armed with physical and moral blessings, comes forth and overlays mankind by services—the engine of redress : this is government, and this the only description of government worth your ambition. Were I to raise you to a great act, I should not recur to the history of other nations ; I would recite your own acts, and set you in emulation with yourselves. Do you remember that night when you gave your country a free trade, and with your own hands opened all her harbours ? That night when you gave her a free Constitution, and broke the chains of a century, while England eclipsed at your glory, and your island rose as it were from its bed, and got nearer the sun ? In the arts that polish life, the inventions that accommodate, the manufactures that adorn it, you will be for many years inferior to some other parts of Europe ; but, to nurse a growing



people, to mature a struggling, though hardy community, to mould, to multiply, to consolidate, to inspire, and to exalt a young nation, be these your barbarous accomplishments !

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### SPEECH ON THE ADDRESS.

1792.—On Dr. Kirwan.

'The curse of Swift is upon him—to have been born an Irishman ; to have possessed a genius, and to have used his talents for the good of his country.

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### AGAINST THE UNION.

1800.—(January 15).

It is not the Isle of Ceylon, the Cape of Good Hope, the Mysore country, nor the dominions of Tippoo, nor yet the feathers of her western wing, that engage the attention or interests of Ireland ; it is her own freedom and Constitution ; it is our own idea of that internal freedom and Constitution, not such as British ministers, who have invaded that Constitution, shall hold forth ; nor such as English or Scotch metaphysicians, who made chains for America, and called them her Constitution, and who are ready now to cast links for Ireland ; but that Constitution which she herself, Ireland, feels, comprehends, venerates, and claims ; such as she herself expressed in her convention at Dungannon, and through all her counties and cities, and in every description and association of people, and afterwards in full Parliament claimed, carried, registered,

and recorded. It is for the preservation of this Constitution that she is interested in British wars. She considers the British empire a great western barrier against invasion from other countries. Invasion on what? Invasion on her liberties, on her rights and privileges; invasion on self-legislation, the parent and protectress of them all. She hears the ocean protesting against separation, but she hears the sea likewise protesting against Union; she follows, therefore, her physical destination, and obeys the dispensations of Providence, when she protests, like that sea, against the two situations, both equally unnatural, separation and Union.

I will not say that one hundred Irish gentlemen will act ill, where any man would act well; but never was there a situation in which they had so much temptation to act ill, and so little to act well; great expense and consequent distresses; no support from the voice of an Irish public; no check; they will be in situation a sort of gentlemen of the empire; that is to say, gentlemen at large, absent from one country, and unelected by the other—suspended between both, and belonging to neither. The sagacious English Secretary of State has foretold this: "What advantage," says he, "will it be to the talents of Ireland, this opportunity in the British empire thus opened?" That is what we dread. The market of St. Stephen opened to the individual, and the talents of the country, like its property, dragged from the kingdom of Ireland to be sold in London; these men, from their situation (man is the child of situation), their native honour may struggle; but from their situation, they will be adventurers of the most expensive kind; adventurers

with pretensions, dressed and sold, as it were, in the shrouds and grave-clothes of the Irish Parliament, and playing for hire their tricks on her tomb, the only repository the minister will allow to an Irish Constitution, the images of degradation, and the representatives of nothing.

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### AGAINST THE UNION.

1800.—(March 19).

In their attempt to prove this Union a measure of identification, they have been no less unfortunate ; these cities, and six and twenty counties, petitioning against it, remonstrating against it, exclaiming against it, prove that it cannot be a measure of identification. You cannot identify or bind two people together by mere operation of parchment or paper ; the will of the parties is essential to marriage, national or personal ; between the buyer and the bought, between the oppressor and the oppressed, between the conqueror and the conquered, there can be no identification. This Union, forced against the sense of the people, by terror and by money, would be an act of oppression, of purchase, and of conquest ; the means taken to force the Union, render the identification of peoples impossible ; indeed the Union does not profess to be an identification ; it is not an identification of executive. You are to have two courts, a viceroy or justices, and their separate establishments, a separate treasury, a separate revenue, with its distinct patronage and expense, and a separate and distinct regulation for trade and commerce ; you are to be governed by distinct laws (what is the

Martial Bill of the other night ?) and by a distinct spirit and principle administering those laws. The temper and spirit with which administration speak of the people of Ireland, prove that they think them a different people, of different manners, different views, and different natures, to be governed on different principles. What are those principles ? The principles of conquest for the Irish, the principles of hostility for the Irish.

The advocates of the Union have failed in that part of their argument which relates to commerce even more than any other. Instead of promoting your manufactures, to compensate for the loss of your Parliament, they tell you now that it is of very little consequence whether you have any manufactures or not ; they tell you it is of very little consequence where the manufactures of the empire are disposed, and that if England be more formed for the cotton manufacture, and so on, that manufacture and the others should reside in England exclusively. We conceived at first that the manufacturer was to be the great object of those who promoted the Union ; we now find that it is the consumer. In short, that idea of converting this country into a land of manufacturers to atone for the loss of a resident gentry is abandoned, and we are now to have neither a resident gentry nor manufacturers. All the policy of nursing our growing fabrics, and thereby of improving the industry of the country, employing her children and expending her wealth upon her own labour, is now abandoned, and the language of the Union is : Buy where you can and as cheap as you can, and if the English market be cheaper, resort to that market in



preference to your own. Accordingly, it is proposed to reduce the protecting duties in seventy instances, to 10½ per cent. for the next twenty years, and after that to reduce them to nothing. Observe that this injury, or at least this danger, is the great *bonus* for the Union; you are called upon to declare, that the high duties under which those manufactures have flourished, have not only been an injury to your commerce, but so great an injury, that you should get rid of your Parliament, in order to get rid of those duties. You are called upon to declare, contrary to experience, that your manufactures have been prejudiced by those high duties; you are called upon to declare, contrary to evidence, that your manufactures can flourish hereafter without them; and you are called upon to declare, supposing those duties to be mischievous, that they cannot be reduced by your own Parliament. Never was a proposition so audacious, to call upon a country to give up at the same time her constitutional and her commercial securities, and to inform her at the same time that she is to make such a surrender with a view to enlarge her liberty and her commerce.

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### AGAINST THE UNION.

1800.—(May 26).

The Constitution may *for a time* be so lost; the character of the country cannot be so lost. The ministers of the Crown will, or may, perhaps, at length find that it is not so easy to put down for ever an ancient and respectable nation, by abilities, however great, and by power and by

corruption, however irresistible. Liberty may repair her golden beams, and with redoubled heat animate the country : the cry of loyalty will not long continue against the principles of liberty ; loyalty is a noble, a judicious and a capacious principle, but in these countries loyalty, distinct from liberty, is corruption, not loyalty.

The cry of the connection will not, in the end, avail against the principles of liberty. Connection is a wise and a profound policy ; but connection without an Irish Parliament is connection without its own principle, without analogy of condition, without the pride of honour that should attend it ; is innovation, is peril, is subjugation—not connection.

The cry of disaffection will not, in the end, avail against the principles of liberty.

Identification is a solid and imperial maxim, necessary for the preservation of freedom, necessary for that of empire ; but, without union of hearts—with a separate Government—and without a separate Parliament, identification is extinction, is dishonour, is conquest—not identification.

Yet I do not give up the country. I see her in a swoon, but she is not dead. Though in her tomb she lies helpless and motionless, still there is on her lips a spirit of life, and on her cheek a glow of beauty—

“ Thou are not conquered ; beauty’s ensign yet  
Is crimson in thy lips, and in thy cheeks,  
And death’s pale flag is not advanced there.”

While a plank of the vessel sticks together, I will not leave her. Let the courtier present his flimsy sail, and carry the light bark of his faith, with every new breath of wind.

I will remain anchored here, with fidelity to the fortune of my country, faithful to her freedom, faithful to her fall.

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### CATHOLIC QUESTION.

1805.—(May 13).

The Parliament of Ireland did risk everything, and are now nothing ; and in their extinction left this instruction, not to their posterity for they have none, but to you, who come in the place of their posterity, not to depend on a sect of religion, nor trust the final issue of your fortunes to anything less than the whole of your people.

The Parliament of Ireland—of that assembly I have a parental recollection. I sate by her cradle, I followed her hearse.

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### CATHOLIC QUESTION.

1808.—(May 25).

With such hope, therefore, I wish gentlemen to apply the balm of oblivion, and not revive topics, which can only serve to irritate and inflame ; that they will not go back to the battle of the Boyne, nor to the scenes of 1641, nor to any of those afflicting periods, in which both parties contended against each other. If you go back, so will the Catholics ; if you make out a law against them, they will make out a case against you ; we shall have historian against historian, man of blood against man of blood. The parties will remain unreconciled, and irreconcilable ;

each the victim of their own prejudices ; and the result will convince you that the victory remains only for the enemies of both

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## CATHOLIC QUESTION.

1812.—(April 23).

Before you dismiss the petitions, let us see who is the petitioner. The kingdom of Ireland, with her imperial crown, stands at your bar ; she applies for the civil liberty of three-fourths of her children. She pays you in annual revenue about six millions ; she pays you in interest of debt about three ; in rent of absentees, about two ; and in commerce about ten. Above twenty million of money is comprehended in that denomination called Ireland ; besides the immeasurable supply of men and provisions, you quadruple her debt, you add three-fold to her taxes, you take away her Parliament, and send her from your bar without a hearing, and with three-fourths of her people disqualified for ever. You cannot do it ; I say you cannot finally do it. The interest of your country would not support you ; the feelings of your country would not support you : it is a proceeding that cannot long be persisted in. No courtier so devoted, no politician so hardened, no conscience so capacious. I am not afraid of occasional majorities ; I remember in 1782, to have been opposed by a court majority, and to have beaten down that court majority. I remember, on a similar occasion, to have stood with twenty-five, opposed to a strong majority, and to have overcome that immense



majority. A majority cannot overlay a great principle. God will guard his own cause against rank majorities. In vain shall men appeal to a church-cry, or to a mock-thunder : the proprietor of the bolt is on the side of the people.

## JOHN PHILPOT CURRAN (1750-1817).

### ON PENSIONS.

In the House of Commons, March 13, 1786.

England having yielded to force in 1782, determined to undermine the loyalty of the Volunteer leaders and of the Irish representatives by means of a fund instituted for pensions.

This polyglot of wealth, this museum of curiosities, the pension list, embraces every link in the human chain, every description of men, women, and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of the lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection: it teacheth, that sloth and vice may eat that bread which virtue and honesty may starve for after they have earned it. It teaches the idle and dissolute to look up for that support which they are too proud to stoop and earn. It directs the minds of men to an entire reliance on the ruling powers of the state, who feed the ravens of the royal aviary, that cry continually for food. It teaches them to imitate those saints on the pension list that are like the lilies of the field, they toil not, neither do they spin, and yet are arrayed like Solomon in his glory. In fine, it teaches a lesson, which indeed

they might have learned from Epictetus, that it is sometimes good not to be over virtuous : it shows, that in proportion as our distresses increase, the munificence of the Crown increases also, in proportion as our clothes are rent, the royal mantle is extended over us.

But notwithstanding that the pension list, like charity, covers a multitude of sins, give me leave to consider it as coming home to the members of this House, give me leave to say, that the Crown, in extending its charity, its liberality, its profusion, is laying a foundation for the independence of Parliament ; for hereafter, instead of orators or patriots accounting for their conduct to such mean and unworthy persons as freeholders, they will learn to despise them, and look to the first man in the State ; and they will by so doing have this security for their independence, that while any man in the kingdom has a shilling, they will not want one.

Suppose at any future period of time the boroughs of Ireland should decline from their present flourishing and prosperous state—suppose they should fall into the hands of men who would wish to drive a profitable commerce, by having members of Parliament to hire or let ; in such a case a secretary would find great difficulty, if the proprietors of members should enter into a combination to form a monopoly . to prevent which in time, the wisest way is to purchase up the raw material, young members of Parliament, just rough from the grass ; and when they are a little bitted, and he has got a pretty stud, perhaps of seventy, he may laugh at the slave merchant ; some of them he may teach to sound through the nose, like a barrel organ : some, in the course of a few months, might

be taught to cry, "Hear ! hear !" some, "Chair ! chair !" upon occasion—though those latter might create a little confusion, if they were to forget whether they were calling inside or outside of those doors. Again, he might have some so trained that he need only pull a string, and up gets a repeating member ; and if they were so dull that they could neither speak nor make orations (for they are different things), he might have them taught to dance, *pedibus ire in sententia*. This improvement might be extended : he might have them dressed in coats and shirts all of one colour ; and, of a Sunday, he might march them to church two by two, to the great edification of the people, and the honour of the Christian religion ; afterwards, like ancient Spartans, or the fraternity of Kilmainham, they might dine all together in a large hall. Good heaven ; what a sight to see them feeding in public upon public viands, and talking of public subjects for the benefit of the public ! It is a pity they are not immortal ; but I hope they will flourish as a corporation, and that pensioners will beget pensioners, to the end of the chapter.

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#### FOR ARCHIBALD HAMILTON ROWAN.

(January 29, 1794.)

"The greatest speech of an advocate in ancient and modern times."—*Brougham*.

This speech and another on the same subject a few days later are amongst the happiest efforts of Curran's genius, not only for the swift grasp of essentials, the method and



mastership of argument, but also for the eloquence of the passages in defence of the Volunteers, universal emancipation, the liberty of the Press, and for the scathing arraignment of corruption, which ensure them immortality.

The Castle, now thinking itself strong enough to take overt measures against the Volunteers, who were showing a leaning towards revolutionary France, issued in the autumn of 1792 a Proclamation for repressing seditious associations, and another was published in England embodying the Militia, while the familiar methods of intimidation were lavishly employed. The immediate pretext for the prosecution of Hamilton Rowan, Secretary of the United Irishmen, was an appeal to the Volunteers drawn up by Dr. William Drennan, chairman, and signed by Rowan. In consequence, a public meeting of the Dublin Volunteers was held at a fencing school in Cope Street for the purpose of distributing this document to the various corps.

Taking as its text the previous proclamations, it calls on the Volunteers to arm for the preservation of peace, and pertinently asks: "From whence but from apprehended danger are these menacing preparations for war drawn through the streets of this capital? From whence, if not to create that internal commotion which was not found—to shake that credit which was not affected—to blast that volunteer honour which was hitherto inviolate—are those terrible suggestions, and rumours and whispers, that meet us at every corner, and agitate at least our old men, our women, and our children? Whatever be the motive, or from whatever quarter it arises, alarm has arisen; and you, Volunteers of Ireland, are therefore summoned to arms at the instance of Government, as well as by the responsibility attached to your character, and the permanent obligations of your institution. . . . Citizen Soldiers, to arms! Take up the shield of freedom and the pledges of peace—peace the motive and end of your virtuous institution. War, an occasional duty, ought never to be made an occupation; every man should become a soldier in the defence of his rights—no man ought to continue a soldier for offending the rights of others. The sacrifice of life in the service of our country is a duty much too honourable to be

entrusted to mercenaries, and at this time, when our country has, by public authority, been declared in danger, we conjure you by your interest, your duty and your glory, to stand to your arms, and in spite of a police—in spite of a fencible militia—in virtue of two proclamations, so maintain good order in your vicinage and tranquillity in Ireland. It is only by the military array of men in whom they confide . . . that the present agitation of the people can be stilled, that tumult and licentiousness can be repressed, obedience secured to existing law, and a calm confidence diffused through the public mind, in the speedy resurrection of a free Constitution, of liberty, and of equality—words which we use for an opportunity of repelling calumny, and of saying that by liberty we never understood unlimited freedom, nor by equality, the levelling of property, or the destruction of subordination. This is a calumny invented by that faction, or that gang, which misrepresents the King to the people and the people to the King ; traduces one half of the nation to cajole the other ; and, by keeping up mistrust and division, wishes to continue the proud arbitrators of the fortune and fate of Ireland. . . . If our Constitution be imperfect, nothing but a reform in representation will rectify its abuses ; . . . . The Catholic cause is subordinate to our cause, and included in it ; for, as United Irishmen, we adhere to no sect, but to society—to no cause but Christianity—to no party, but the whole people. In the sincerity of our souls do we desire Catholic emancipation ; but were it obtained to-morrow, to-morrow would we go on as we do to-day, in the pursuit of that reform, which would still be wanting to ratify their liberties as well as our own. . . . The nation is neither insolent nor rebellious, nor seditious ; while it knows its rights it is unwilling to manifest its powers ; it would rather supplicate administration to anticipate revolution by well-timed reform, and to save their country in mercy to themselves. The fifteenth of February approaches—a day ever memorable in the annals of the country as the birth day of a new Ireland. Let parochial meetings be held as soon as possible ; let each parish return delegates ; let the sense of Ulster be again

declared from Dungannon on a day auspicious to union, peace, and freedom ; and the spirit of the north will again become the spirit of the nation."

Having reviewed the history of the case, Curran goes into its legal aspects, divides the Appeal under four heads :—The invitation to the Volunteers to arm—the necessity of reform—emancipation of the Catholics—and the necessity of a general delegated convention of the people—he takes up and justifies each point in detail.

Gentlemen of the jury, when I consider the period at which this prosecution is brought forward ; when I behold the extraordinary safe-guard of armed soldiers resorted to, no doubt for the preservation of peace and order ; when I catch, as I cannot but do, the throb of public anxiety which beats from one end to the other of this hall ; when I reflect on what may be the fate of a man of the most beloved personal character, of one of the most respectable families of our country—himself the only individual of that family—I may almost say of that country—who can look to that possible fate with unconcern ? Feeling as I do all these impressions, it is in the honest simplicity of my heart I speak, when I say, that I never rose in a court of justice with so much embarrassment as upon this occasion.

If, gentlemen, I could entertain a hope of finding refuge for the disconcertion of my mind in the perfect composure of yours—if I could suppose that those awful vicissitudes of human events, which have been stated or alluded to, could leave your judgment undisturbed, and your hearts at ease, I know I should form a most erroneous opinion of your character. I entertain no such chimerical hope—I form no such unworthy opinion. I expect



not that your hearts can be more at ease than my own—I have no right to expect it ; but I have a right to call upon you, in the name of your country, in the name of the living God, of whose eternal justice you are now administering that portion which dwells with us on this side of the grave, to discharge your breasts, as far as you are able, of every bias of prejudice or passion, that if my client be guilty of the offence charged upon him, you may give tranquillity to the public, by a firm verdict of conviction ; or, if he be innocent, by as firm a verdict of acquittal ; and that you will do this in defiance of the paltry artifices and senseless clamours that have been resorted to in order to bring him to his trial with anticipated conviction. And, gentlemen, I feel an additional necessity in thus conjuring you to be upon your guard, from the able and imposing statement which you have just heard on the part of the prosecution (the late Lord Kilwarden, then Attorney-General Wolfe) I know how much he would disdain to impose on you by the trappings of office ; but I also know how easily we mistake the lodgment which character and eloquence can make upon our feelings, for those impressions that reason, and fact, and proof, only ought to work upon our understandings.

Perhaps, gentlemen, I shall act not unwisely in waiving any further observation of this sort, and giving your minds an opportunity of growing cool and resuming themselves, by coming to a calm and uncoloured statement of mere facts, premising only to you, that I have it in strictest injunction from my client, to defend him upon facts and evidence only, and to avail myself of no technical artifice or subtlety that could withdraw his cause from the test



of that inquiry which it is your province to exercise, and to which only he wishes to be indebted for an acquittal.

In the month of December, 1792, Mr. Rowan was arrested on an information, charging him with the offence for which he is now on his trial. He was taken before an honourable personage now on that bench, and admitted to bail.

He remained a considerable time in this city, soliciting the present prosecution, and offering himself to fair trial by a jury of his country. But it was not then thought fit to yield to that solicitation ; nor has it now been thought proper to prosecute him in the ordinary way, by sending up a bill of indictment to a grand jury.

I do not mean by this to say that informations *ex-officio* are always oppressive or unjust ; but I cannot but observe to you, that when a petty jury is called upon to try a charge not previously found by the grand inquest, and supported by the naked assertion only of the King's prosecutor, that the accusation labours under a weakness of probability which it is difficult to assist. If the charge had no cause of dreading the light—if it was likely to find the sanction of a grand jury—it is not easy to account why it deserted the more usual, the more popular, and the more constitutional mode, and preferred to come forward in the ungracious form of an *ex-officio* information.

If such a bill had been sent up and found, Mr. Rowan would have been tried at the next commission ; but a speedy trial was not the wish of his prosecutors. An information was filed, and when he expected to be tried upon it, an error, it seems, was discovered in the record. Mr. Rowan offered to waive it, or consent to any amend-

ment desired. No, that proposal could not be accepted : a trial must have followed. The information, therefore, was withdrawn, and a new one filed, that is in fact, a third prosecution was instituted upon the same charge. This last was filed on the 8th day of last July.

Gentlemen, these facts cannot fail of a due impression upon you. You will find a material part of your inquiry must be, whether Mr. Rowan is pursued as a criminal, or hunted down as a victim. It is not, therefore, by insinuation or circuitry, but it is boldly and directly that I assert, that oppression has been intended and practised upon him, and by those facts which I have stated, I am warranted in the assertion.

His demand, his entreaty to be tried was refused, and why ? A hue and cry was to be raised against him ; the sword was to be suspended over his head ; some time was necessary for the public mind to become heated by the circulation of artful clamours of anarchy and rebellion. These same clamours which with more probability, but not more success, had been circulated before through England and Scotland. In this country the causes and the swiftness of their progress were as obvious as their folly has since become to every man of the smallest observation. . . . .

Such are the bugbears and spectres to be raised to warrant the sacrifice of whatever little public spirit may remain amongst us. But time has also detected the imposture of these " Cock-lane apparitions " ; and you cannot now, with your eyes open, give a verdict, without asking your consciences this question :—Is this a fair and honest prosecution ? Is it brought forward with the

single view of vindicating public justice, and promoting public good? And here let me remind you, that you are not convened to try the guilt of a libel, affecting the personal character of any private man. I know no case in which a jury ought to be more severe, than where personal calumny is conveyed through a vehicle which ought to be consecrated to public information. Neither, on the other hand, can I conceive any case in which the firmness and the caution of a jury should be more exerted, than when a subject is prosecuted for a libel on the State. The peculiarity of the British Constitution (to which in its fullest extent, we have an undoubted right, however distant we may be from the actual enjoyment), and in which it surpasses every known government in Europe, is this, that its only professed object is the general good, and its only foundation the general will; hence the people have a right acknowledged from time immemorial, fortified by a pile of statutes, and authenticated by a revolution that speaks louder than them all, to see whether abuses have been committed, and whether their properties and their liberties have been attended to as they ought to be.

This is a kind of subject by which I feel myself overawed when I approach it; there are certain fundamental principles which nothing but necessity should expose to public examination; they are pillars, the depth of whose foundation you cannot explore, without endangering their strength; but let it be recollected, that the discussion of such subjects should not be condemned in me, nor visited upon my client: the blame, if any there be, should rest only with those who have forced them into discussion. I say, therefore, it is the right of the

people to keep an eternal watch upon the conduct of their rulers ; and in order to do that, the freedom of the Press has been cherished by the law of England. In private defamation, let it never be tolerated ; in wicked and wanton aspersion upon a good and honest administration, let it never be supported. Not that a good government can be exposed to danger by groundless accusation, but because a bad government is sure to find, in the detected falsehood of a licentious Press, a security and a credit, which it could never otherwise obtain.

I said a good government cannot be endangered ; I say so again ; for whether it be good or bad, it can never depend upon assertion ; the question is decided by simple inspection ; to try the tree, look at its fruit ; to judge of the government, look at the people. What is the fruit of a good government ? the virtue and happiness of the people. Do four millions of people in this country gather those fruits from that government, to whose injured purity, to whose spotless virtue and violated honour this seditious and atrocious libeller is to be immolated upon the altar of the Constitution ? To you, gentlemen of the jury, who are bound by the most sacred obligation to your country and your God, to speak nothing but the truth, I put the question—do the people of this country gather those fruits ?—are they orderly, industrious, religious, and contented ?—do you find them free from bigotry and ignorance, those inseparable concomitants of systematic oppression ? Or, to try them by a test as unerring as any of the former, are they united ? ”

Having alluded to the restoration of the law of libel by Erskine and Fox, making the decision of what was libel a matter for the jury,



not the judge, Curran states the case against Rowan of publishing a seditious libel calculated to bring the Government of Ireland into contempt and designed to subvert it by force of arms, he argues that the jury must decide whether Rowan did publish the paper, whether it is a libel, whether he published it with the intent charged. If there be a failure on any one of these points, Rowan is entitled to acquittal. He proceeds:—

Gentlemen, Mr. Attorney-General has thought proper to direct your attention to the state and circumstances of public affairs at the time of this transaction ; let me also make a few retrospective observations on a period at which he has but slightly glanced ; I speak of the events which took place before the close of the American war.

You know, gentlemen, that France had espoused the cause of America, and we became thereby engaged in a war with that nation.

*“ Heu nescia mens hominum futuri ! ”*

Little did that ill-fated monarch know that he was forming the first causes of those disastrous events, that were to end in the subversion of his throne, in the slaughter of his family, and the deluging of his country with the blood of his people. You cannot but remember that at the time when we had scarcely a regular soldier for our defence, when the old and young were alarmed and terrified with apprehensions of descent upon our coasts, that Providence seemed to have worked a sort of miracle in our favour. You saw a band of armed men come forth at the great call of nature, of honour, and their country. You saw men of the greatest wealth and rank ; you saw every class of the community give up its members, and send them armed into the field, to protect the public and private tranquillity of Ireland. It is impossible for any

man to turn back to that period, without reviving those sentiments of tenderness and gratitude, which then beat in the public bosom, to recollect amidst what applause, what tears, what prayers, what benedictions, they walked forth amongst the spectators, agitated by the mingled sensations of terror and of reliance, of danger and of protection, imploring the blessings of heaven upon their heads, and its conquest upon their swords. That illustrious, and adored and abused body of men, stood forward and assumed the title, which I trust the ingratitude of their country will never blot from its history—"THE VOLUNTEERS OF IRELAND."

Give me leave now, with great respect, to put this question to you :—Do you think the assembling of that glorious band of patriots was an insurrection? Do you think the invitation to that assembling would have been sedition? . . . If it would not have been so then, upon what principle can it be so now? What is the force and perfection of the law? It is the permanency of the law; it is, that whenever the fact is the same, the law is also the same; it is, that the letter remains written, monumented and recorded, to pronounce the same decision, upon the same facts, whenever they shall arise.

Rowan has done nothing more than issue such an invitation, he finds his justification argues Curran, with deadly irony, in the mysterious rumours lately set afloat. As to the charge that he desired alteration of the Constitution by declaring the necessity for reform, here is the language used by the "Morning Chronicle" unsuccessfully prosecuted for libel :—"We refuse to approach defects of government with 'pious awe and trembling solicitude,' it is our right to inquire into them. We do view with concern the frequency of wars from which we gain nothing. 'If kings continue to make us fight and kill one another in uniform, we will continue to write and speak,

until nations shall be cured of this folly.' Our heavy taxes are due to cruel and impolitic wars, we shall continue to protest against them. We think the present representation of the people calls for particular attention. We give government our money, but have no control on the way it is spent. We view with lively concern the traffic in places and pensions. We note the outcry against reform and the increasing taxes on the people, and we ask ourselves are we in England? We hope similar societies to ours will be founded all over the country to bring pressure to bear on our rulers. Such is the language of Englishmen stamped by the corroborating sanction of a verdict of acquittal."

Gentlemen, the representation of our people is the vital principle of their political existence; without it they are dead, or they live only to servitude; without it there are two estates acting upon and against the third, instead of acting in co-operation with it; without it, if the people are oppressed by their judges, where is the tribunal to which the judges can be amenable? without it, if they are trampled upon and plundered by a minister, where is the tribunal to which the offender shall be amenable; without it, where is the ear to hear, or the heart to feel, or the hand to redress their sufferings? Shall they be found, let me ask you, in the accursed bands of imps and minions that bask in their disgrace, and fatten upon their spoils, and flourish upon their ruin? But let me not put this to you as a merely speculative question. It is a plain question of fact: rely upon it, physical man is everywhere the same; it is only the various operations of moral causes that gives variety to the social or individual character and condition. How otherwise happens it that modern slavery looks quietly at the despot, on the very spot where Leonidas expired? The answer is Sparta has

not changed her climate, but she has lost that government which her liberty could not survive.

I call you, therefore, to a plain question of fact. This paper recommends a reform in Parliament, I put that question to your consciences ; do you think it needs that reform ? I put it boldly and fairly to you, do you think the people of Ireland are represented as they ought to be ? Do you hesitate for an answer ? If you do, let me remind you, that until last year, three millions of your country men have by the express letter of the law, been excluded from the reality of actual, and even from the phantom of virtual representation. Shall we then be told that this is the affirmation of a wicked and seditious incendiary ? If you do not feel the mockery of such a charge, look at your country ; in what state do you find it ? Is it in a state of tranquillity and general satisfaction ? These are traces by which good are ever to be distinguished from bad governments, without any very minute inquiry or speculative refinement. Do you feel that a veneration for the law, a pious and humble attachment to the Constitution, form the political morality of the people ? Do you find that comfort and competency among your people which are always to be found where a government is mild and moderate, where taxes are imposed by a body who have an interest in treating the poorer orders with compassion, and preventing the weight of taxation from pressing sore upon them ? . . . .

This paper, gentlemen, insists upon the necessity of emancipating the Catholics of Ireland, and that is charged as part of the libel. If they had waited another year, if they had kept this prosecution impending for another



year, how much would remain for a jury to decide upon I should be at a loss to discover. It seems as if the progress of public information was eating away the ground of the prosecution, this part of the libel has unluckily received the sanction of the legislature. In that interval our Catholic brethren have obtained that admission, which, it seems, it was a libel to propose ; in what way to account for this, I am really at a loss. Have any alarms been occasioned by the emancipation of our Catholic brethren ? Has the bigoted malignity of any individual been crushed ? or has the stability of the Government, or that of the country been weakened ; or is one million of subjects stronger than four millions ? Do you think that the benefit they received should be poisoned by the sting of vengeance ? If you think so, you must say to them—" You have demanded emancipation, and you have got it ; but we abhor your persons, we are outraged at your success, and we will stigmatise by criminal prosecution the adviser of that relief which you have obtained from the voice of your country." I ask you, do you think, as honest men, anxious for the public tranquillity, conscious that there are wounds not yet completely cicatrized, that you ought to speak this language at this time, to men who are too much disposed to think that in this very emancipation they have been saved from their own Parliament by the humanity of their sovereign ? Or do you wish to prepare them for the revocation of these improvident concessions ? Do you think it wise or humane at this moment to insult them, by sticking up in a pillory the man who dared to stand forth as their advocate ? I put it to your oaths ; do you think that a blessing of that kind, that a victory

obtained by justice over bigotry and oppression, should have a stigma cast upon it by an ignominious sentence upon men bold and honest enough to propose that measure ? to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it ; giving I say, in the so much censured words of this paper, giving " UNIVERSAL EMANCIPATION ! " I speak in the spirit of the British law, which makes liberty commensurate with and inseparable from British soil ; which proclaims even to the stranger and sojourner, the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of UNIVERSAL EMANCIPATION. No matter in what language his doom may have been pronounced ; no matter what complexion incompatible with freedom, an Indian or an African sun may have burnt upon him ; no matter in what disastrous battle his liberty may have been cloven down ; no matter with what solemnities he may have been devoted upon the altar of slavery ; the first moment he touches the sacred soil of Britain, the altar and the god sink together in the dust ; his soul walks abroad in her own majesty ; his body swells beyond the measure of his chains, that burst from around him ; and he stands redeemed, regenerated, and disenthralled, by the irresistible genius of UNIVERSAL EMANCIPATION.

A sudden burst of applause from the court and the hall, which was repeated for a considerable length of time, interrupted Mr. Curran. Silence being at length restored, he proceeded :—

Gentlemen, I am not such a fool as to ascribe any

effusion of this sort to any merit of mine. It is the mighty theme, and not the inconsiderable advocate, that can excite interest in the hearer. What you hear is but the testimony which nature bears to her own character ; it is the effusion of her gratitude to that Power which stamped the character upon her . . . . .

Gentlemen, you are sitting in a country which has a right to the British constitution, and which is bound by an indissoluble union with the British nation. If you were now even at liberty to debate on that subject ; if you even were not, by the most solemn compacts, founded upon the authority of your ancestors and of yourselves, bound to that alliance, and had an election now to make ; in the present unhappy state of Europe, if you had been heretofore a stranger to Great Britain, you would now say—We will enter into society and union with you :—

*“ Una salus ambobus erit, commune periculum.”*

But to accomplish that union let me tell you, you must learn to become like the English people. It is vain to say you will protect their freedom, if you abandon your own. The pillar whose base has no foundation, can give no support to the dome under which its head is placed ; and if you profess to give England that assistance which you refuse to yourselves, she will laugh at your folly, and despise your meanness and insincerity. Let us follow this a little further—I know you will interpret what I say with the candour in which it is spoken—England is marked by a natural avarice of freedom, which she is studious to engross and accumulate, but most unwilling to impart ; whether from any necessity of her policy, or from

her weakness, or from her pride, I will not presume to say, but so is the fact ; you need not look to the east nor to the west ; you need only look to yourselves.

In order to confirm this observation, I would appeal to what fell from the learned counsel for the crown—"that notwithstanding the alliance subsisting for two centuries past between the two countries, the date of liberty in one goes no further back than the year 1782."

If it required additional confirmation, I should state the case of the invaded American, and the subjugated Indian, to prove that the policy of England has ever been, to govern her connexions more as colonies than as allies ; and it must be owing to the great spirit indeed of Ireland, if she shall continue free. Rely upon it, she shall ever have to hold her course against an adverse current ; rely upon it, if the popular spring does not continue strong and elastic, a short interval of debilitated nerve and broken force will send you down the stream again, and re-consign you to the condition of a province.

Having painted the evils of government by faction, and alluded in a passage of delicate irony to the law passed by the "Irish" Parliament the year before, declaring that no body of men could delegate to a smaller body power to petition for them, Curran continues :—

I do not complain of this act as any infraction of popular liberty ; I should not think it becoming in me to express any complaint against a law, when once become such. I observe only that one mode of popular deliberation is thereby taken utterly away, and you are reduced to a situation in which you never stood before. You are living in a country where the Constitution is rightly stated to be only ten years old—where the people have not the



ordinary rudiments of education. It is a melancholy story that the lower orders of the people here have less means of being enlightened than the same class of people in any other country. If there be no means left by which public measures can be canvassed, what will be the consequence? Where the Press is free and discussion unrestrained, the mind, by the collision of intercourse, gets rid of its own asperities; a sort of insensible perspiration takes place in the body politic, by which those acrimonies, which would otherwise fester and inflame, are quietly dissolved and dissipated. But now, if any aggregate assembly shall meet, they are censured; if a printer publishes their resolutions, he is punished: rightly, to be sure, in both cases, for it has been lately done. If the people say, let us not create tumult, but meet in delegation, they cannot do it; if they are anxious to promote parliamentary reform in that way, they cannot do it, the law of the last session has for the first time declared such meetings to be a crime.

What then remains? The liberty of the Press *only*—that sacred palladium, which no influence, no power, no minister, no government, which nothing but the depravity, or folly, or corruption of a jury, can ever destroy. And what calamities are the people saved from, by having public communication left open to them? I will tell you, gentlemen, what they are saved from, and what the Government is saved from. I will tell you also to what both are exposed by shutting up that communication. In one case sedition speaks aloud and walks abroad: the demagogue goes forth—the public eye is upon him—he frets his busy hour upon the stage: but soon either weariness, or

bribe, or punishment, or disappointment, bears him down, or drives him off, and he appears no more. In the other case, how does the work of sedition go forward? Night after night the muffled rebel steals forth in the dark, and casts another and another brand upon the pile, to which, when the hour of fatal maturity shall arrive, he will apply the torch. If you doubt of the horrid consequence of suppressing the effusion even of individual discontent, look to those enslaved countries where the protection of despotism is supposed to be secured by such restraints. Even the person of the despot there is never in safety. Neither the fear of the despot, nor the machinations of the slave, have any slumber—the one anticipating the moment of peril, the other watching the opportunity of aggression. The fatal crisis is equally a surprise upon both, the decisive instant is precipitated without warning—by folly on the one side, or by frenzy on the other; and there is no notice of the treason till the traitor acts. In those unfortunate countries—one cannot read it without horror—there are officers, whose province it is, to have the water which is to be drunk by their rulers, sealed up in bottles, lest some wretched miscreant should throw poison into the draught.

But, gentlemen, if you wish for a nearer and more interesting example, you have it in the history of your own revolution. You have it at that memorable period, when the monarch found a servile acquiescence in the ministers of his folly—when the liberty of the Press was trodden under foot—when venal sheriffs returned packed juries, to carry into effect those fatal conspiracies of the few against the many—when the devoted benches of

public justice were filled by some of those foundlings of fortune who, overwhelmed in the torrent of corruption at an early period, lay at the bottom, like drowned bodies, while soundness or sanity remained in them ; but, at length, becoming buoyant by putrefaction, they rose as they rotted, and floated to the surface of the polluted stream, where they were drifted along, the objects of terror, and contagion, and abomination.

In that awful moment of a nation's travail, of the last gasp of tyranny and the first breath of freedom, how pregnant is the example ! The Press extinguished, the people enslaved, and the prince undone. As the advocate of society, therefore—of peace—of domestic liberty—and the lasting union of the two countries—I conjure you to guard the liberty of the Press, that great sentinel of the State, that grand detector of public imposture ; guard it, because when it sinks, there sinks with it, in one common grave, the liberty of the subject, and the security of the crown.

Gentlemen, I am glad that this question has not been brought forward earlier ; I rejoice, for the sake of the court, of the jury, and of the public repose, that this question has not been brought forward till now. In Great Britain analogous circumstances have taken place. At the commencement of that unfortunate war which has deluged Europe with blood, the spirit of the English people was tremblingly alive to the terror of French principles ; at that moment of general paroxysm, to accuse was to convict. The danger looked larger to the public eye, from the misty region through which it was surveyed. We measure inaccessible heights by the shadows which they project,

where the lowness and the distance of the light form the length of the shade.

There is a sort of aspiring and adventurous credulity, which disdains asserting the obvious truths, and delights in catching at the improbability of circumstances, as its best ground of faith. To what other cause, gentlemen, can you ascribe, that in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel, for publishing those resolutions to which the present minister of the kingdom had actually subscribed his name?—To what other cause can you ascribe, what in my mind is still more astonishing, in such a country as Scotland—a nation cast in the happy medium between the spiritless acquiescence of submissive poverty, and the sturdy credulity of pampered wealth—cool and ardent—adventurous and persevering—winging her eagle flight against the blaze of every science, with an eye that never winks and a wing that never tires—crowned as she is, with the spoils of every art, and decked with the wreath of every muse, from the deep and scrutinizing researches of her Hume, to the sweet and simple, but not less sublime and pathetic, morality of her Burns—how, from the bosom of a country like that, genius, and character, and talents, should be banished to a distant barbarous soil, condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life?

But I will not further press the idea that is so painful to me, and I am sure must be painful to you. I will only say, you have now an example, of which neither England



nor Scotland had the advantage : you have the example of the panic, the infatuation, and the contrition of both. It is now for you to decide, whether you will profit by their experience of idle panic and idle regret ; or whether you meanly prefer to palliate a servile imitation of their frailty, by a paltry affectation of their repentance. It is now for you to show, that you are not carried away by the same hectic delusions, to acts, of which no tears can wash away the fatal consequences, or the indelible reproach.

The allusion here is to the sentence of transportation for fourteen years passed on Mr. Muir and Mr. Palmer in Scotland. Having cited the passage regarding liberty, already quoted, in the address to the Volunteers, against the Attorney-General's misconstruction, and impeached the credibility of the chief witnesses for the prosecution, Lyster and Morton, Curran concludes with a further reference of the case of Muir and Palmer.

I cannot, however, avoid reverting to a circumstance that distinguished the case of Mr. Rowan from that of the late sacrifice in a neighbouring kingdom.

The severer law of that country, it seems—and happy for them that it should—enables them to remove from their sight the victim of their infatuation. The more merciful spirit of our law deprives you of that consolation ; his sufferings must ever remain before our eyes, a continual call upon your shame and your remorse. But those sufferings will do more ; they will not rest satisfied with your unavailing contrition—they will challenge the great and paramount inquest of society—the man will be weighed against the charge, the witness, and the sentence—and impartial justice will demand, why has an Irish jury done this deed ? The moment he ceases to be regarded as a criminal, he becomes of necessity an accuser ; and let

me ask you, what can your most zealous defenders be prepared to answer to such a charge? When your sentence shall have sent him forth to that stage, which guilt alone can render infamous, let me tell you, he will not be like a little statue upon a mighty pedestal, diminished by elevation; but he will stand a striking and imposing object upon a monument, which, if it does not (and it cannot) record the atrocity of his crime, must record the atrocity of his conviction.

Upon this subject, therefore, credit me when I say, that I am still more anxious for you than I can possibly be for him. I cannot but feel the peculiarity of your situation. Not the jury of his own choice, which the law of England allows, but which ours refuses; collected in that box by a person certainly no friend to Mr. Rowan (Gifford, the sheriff)—certainly not very deeply interested in giving him a very impartial jury. Feeling this, as I am persuaded you do, you cannot be surprised, however you may be distressed, at the mournful presage with which an anxious public is led to fear the worst from your possible determination. But I will not, for the justice and honour of our common country, suffer my mind to be borne away by such melancholy anticipation. I will not relinquish the confidence that this day will be the period of his sufferings; and, however mercilessly he has been hitherto pursued, that your verdict will send him home to the arms of his family, and the wishes of his country. But if, which Heaven forbid! it hath still been unfortunately determined, that because he has not bent to power and authority, because he would not bow down before the golden calf, and worship it, he is to be bound and cast into

the furnace ; I do trust in God, that there is a redeeming spirit in the Constitution, which will be seen to walk with the sufferer through the flames, and to preserve him unhurt by the conflagration.

The jury took only ten minutes to find the prisoner guilty, and by the order of Lord Clonmel, one of the judges, the accused was conveyed to the New Prison in custody.

February 4th an application was made to set aside the verdict on various grounds—partiality in the case of one of the jurors, in that of one of the sheriffs, the unreliability of John Lyster, principal witness, and the misdirection of the court. Much of the second trial dealt with legal questions, but Curran fastened his attention to the main point, that the accuser was obliged to establish guilt.

I also conceive, my lords, that the direction of the court was not agreeable to the law of Ireland. The defence of my client was rested upon this : that there was no evidence of the fact of publication ; upon the incredibility of the fact ; and the circumstances of discredit in the character of the witness : yet the court made this observation : “ Gentlemen, it is scarcely lies in the mouth of Mr. Rowan to build a defence upon objections of this kind to the characters of witnesses, because the fact was public ; there were many there ; the room was crowded below, the gallery was crowded above ; and the publicity of the fact enabled him to produce a number of witnesses to falsify the assertion of the prosecutor, if, in fact, it could be falsified ! ” Is that the principle of criminal law ? Is it a part of the British law that the fate of the accused shall abide, not the positive establishment of guilt by the prosecutor, but the negative proof of innocence by himself ? Why has it been said in foolish old books, that the law supposes the innocence of every man, till the contrary is proved ? How has it happened

that that language has been admired for its humanity, and not laughed at for its absurdity, in which the prayers of the court are addressed to Heaven for the safe deliverance of the man accused ? How comes it that so much public time is wasted in going into evidence of guilt, if the bare accusation of a man did call upon him to go into evidence of his innocence ? The force of the observation is this. Mr. Rowan impeaches the credit of a witness, who has sworn that he saw him present, and doing certain acts, at a certain meeting ; but it is asked, has he substantiated that discredit, by calling all the persons who were present to prove his absence from the meeting, which is only stated to have existed by a witness whom he alleges to have perjured himself ? I call upon the example of judicial character ; upon the faith of that high office, which is never so dignified as when it sees its errors and corrects them, to say, that the court was for a moment led away, so as to argue from the most seductive of all sophisms, that of the *petitio principii*.

See what meaning is to be gathered from such words : we say the whole that this man has sworn is a consummate lie ; show it to be so, says the court, by admitting a part of it to be true. It is a false swearing ; it is a conspiracy of two witnesses against the defendant ; well, then, it lies upon him to rebut their testimony, by proving a great deal of it to be true ! Is conjecture, then, in criminal cases, to stand in the place of truth and demonstration ? Why were not some of those (I will strip the case of the honour of names which I respect), but why were not some of those, who knew that these two persons were to be brought forward, and that there were to be objections



to their credit, if, as it is stated, it happened in the presence of a public crowd, rushing in from motives of curiosity, why were not numbers called on to establish that fact ? On the contrary, the court have said to this effect : Mr. Rowan, you say you were not there ; produce any of those persons with whom you were there, to swear you were not there ! You say it was a perjury ; if so, produce the people, that he has perjured himself in swearing to have been there ! But as to your own being there, you can easily show the contrary of that, by producing some man that you saw there. You say you were not there ! Yes. There were one hundred and fifty persons there : now produce any one of those to swear they saw you there !

It is impossible for the human mind to suppose a case, in which infatuation must have prevailed in a more progressive degree, than when a jury are thus, in fact, directed to receive no refutation nor proof of the perjury of the witness, but only of his truth. We will permit you to deny the charge, by establishing the fact : we will permit you to prove that they swore falsely to your being there, by producing another witness to prove to a certainty that you were there

Lord Clonmel, one of the judges trying the case, here interposed pointing out that what the witnesses for the prosecution swore to occurred in a public assembly where many of Mr. Rowan's friends were present, that any of those persons might have been called to prove he was not there, or that he could prove an *alibi*. He might also have proved that no meeting took place. To this Curran replies by using a statement made by Clonmel when charging the jury in the first trial :—" One hundred and fifty Volunteers, or United Irishmen, and not one comes forward ! Many of them would have been proud to assist him (Rowan). Their silence speaks a thousand times more strongly than any cavilling upon this man's credit—the silence of such a number is a volume of evidence in support of the prosecution."

There was no such idea put to the jury as whether there was a meeting or not : it was said they were all of his party, he might have produced them ; and the non-production of them was a " volume of evidence " on that point. No refinement can avoid this conclusion, that even as your lordship now states the charge, the fate of the man must depend upon proving the negative.

Until the credit of the witness was established, he could not be called upon to bring any contrary evidence. What does the duty of every counsel dictate to him, if the case is not made out by his adversary or prosecutor ? Let it rest ; the court is bound to tell the jury so, and the jury are bound to find him not guilty. It is a most unshaken maxim, that *nemo tenetur prodere seipsum*. And it would indeed be a very inquisitorial exercise of power, to call upon a man to run the risk of confirming the charge, under the penalty of being convicted by *nil dicit*. . . It is only when the party stands mute from malice, that such extremes can be resorted to. I never before heard an intimation from any judge to a jury, that bad evidence, liable to any and every exception, ought to receive a sanction from the silence of the party. The substance of the charge was neither more nor less than this : that the falsehood of the evidence shall receive support and credit from the silence of the man accused. With anxiety for the honour and religion of the law, I demand it of you, must not the jury have understood that this silence was evidence to go to them ? Is the meaning contained in the expression, " a volume of evidence," only insinuation ? I do not know where any man could be safe ; I do not know what any man could do to shield

himself from prosecution. . . . I do not know what shall become of the subject, if a jury are to be told that the silence of the man charged is a "volume of evidence" that he is guilty of the crime : where is it written ? I know there is a place where vulgar frenzy cries out, that the public instrument must be drenched in blood ; where defence is gagged, and the devoted wretch must perish. But even there, the victim of such tyranny is not made to fill, by voluntary silence, the defects of his accusation ; for his tongue is tied, and therefore no advantage is taken of him by construction ; it cannot be there said that his not speaking is a volume of evidence to prove his guilt.

But to avoid all misunderstanding, see what is the force of my objection : is it that the charge of the court cannot receive a practicable interpretation, that may not terrify men's minds with ideas such as I have presented ? No ; I am saying no such thing ; I have lived too long, and observed too much, not to know, that every word in a phrase is one of the feet upon which it runs, and how the shortening or lengthening of one of these feet will alter the progress or direction of its motion. I am not arguing that the charge of the court cannot by any possibility be reconciled to the principles of law ; I am agitating a more important question ; I am putting it to the conscience of the court whether a jury may not have probably collected the same meaning from it which I have affixed to it ; and whether there ought not to have been a volume of explanation, to do away with the fatal consequences of such a mistake. . . . In earlier times it might have been thought sacrilege to have meddled with a verdict once pronounced ; since then, the true principles of jus-

tice have been better understood ; so that now, the whole wisdom of the whole court will have an opportunity of looking over that verdict, and setting right the mistake which has occasioned it.

After some further discussion, Curran impressively sums up :

You are standing on the scanty isthmus that divides the great ocean of duration, on one side of the past, on the other of the future ; a ground that, while you yet hear me, is washed from beneath our feet. Let me remind you, my lords, while your determination is yet in your power, "*Dum versatur adhuc intra penetralia Vestae,*" that on that ocean of future you must set your judgment afloat. And future ages will assume the same authority which you have assumed ; posterity feel the same emotions which you have felt, when your little hearts have beaten, and your infant eyes have overflowed, at reading the sad history of the sufferings of a Russell or a Sidney.

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#### 1797.—IN DEFENCE OF MR. PETER FINERTY.

Mr. Peter Finerty was publisher of *The Press*, the organ of the United Irishmen. The ground for his prosecution was a letter signed "Marcus" (Mr. Deane Swift) commenting on the judicial murder of Mr. William Orr, executed October 14th, 1797.

But the learned gentleman is further pleased to say, that the traverser has charged the Government with the encouragement of informers. This, gentlemen, is another small fact that you are to deny at the hazard of your souls, and upon the solemnity of your oaths. You are



upon your oaths to say to the sister country, that the Government of Ireland uses no such abominable instruments of destruction as informers. Let me ask you honestly what do you feel, when in my hearing, when in the face of this audience, you are called upon to give a verdict that every man of us, and every man of you know by the testimony of your own eyes to be utterly and absolutely false ? I speak not now of the public proclamation of informers with a promise of secrecy and of extravagant reward ; I speak not of the fate of those horrid wretches who have been so often transferred from the table to the dock, and from the dock to the pillory ; I speak of what your own eyes have seen day after day during the course of this Commission from the box where you are now sitting ; the number of horrid miscreants who avowed upon their oaths that they had come from the very seat of Government—from the very chambers of the Castle, where they had been worked upon by the fear of death and the hope of compensation, to give evidence against their fellows, that the mild and wholesome councils of this Government are holden over these catacombs of living death, where the wretch that is buried a man, lies till his heart has time to fester and dissolve, and is then dug up a witness !

Is this a picture created by a hag-ridden fancy, or is it fact ? Have you not seen him, after his resurrection from that tomb, after having been dug out of the region of death and corruption, make his appearance upon the table, the living image of life and of death, and the supreme arbiter of both ? Have you not marked when he entered, how the stormy wave of the

multitude retired at his approach ? Have you not marked how the human heart bowed to the supremacy of his power, in the undissembled homage of deferential horror ? How his glance, like the lightning of heaven, seemed to rive the body of the accused, and mark it for the grave, while his voice warned the devoted wretch of woe and death ; a death which no innocence can escape, no art elude, no force resist, no antidote prevent. There was an antidote—a juror's oath—but even that adamantine chain, that bound the integrity of man to the throne of eternal justice, is solved and molten in the breath that issues from the informer's mouth ; conscience swings from her moorings, and the appalled and affrighted juror consults his own safety in the surrender of the victim :—

*Et quae sibi quisque timebat, ———  
Unius in miseri exitium conversa tulere.*

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### 1798.—FORECAST OF UNION.

I am sorry to think it is so very easy to conceive, that in case of such an event the inevitable consequence would be, a union with Great Britain. And if anyone desires to know what that would be, I will tell him : It would be the emigration of every man of consequence from Ireland ; it would be the participation of British taxes without British trade ; it would be the extinction of the Irish name as a people. We should become a wretched colony, perhaps leased out to a company of Jews, as was formerly in contemplation, and governed by a few tax-gatherers and Excisemen, unless possibly you may add

fifteen or twenty couple of Irish members, who might be found every session sleeping in their collars under the manger of the British Minister.

### MASSY VERSUS. HEADFORT.

July 27th, 1804.

In the beginning of 1803 Limerick society was much fluttered by the elopement of Mrs. Massy, once the beautiful Miss Rosslewin, wife of the Rev. Charles Massy, with the Marquis of Headfort who chose to requite thus the hospitality of her husband. The case excited widespread interest and the array of legal talent on both sides was proportionately great. Amongst the defenders we find Ponsonby and Goold, while for the prosecution were men like Curran, Hoare, and Bennet—whose simile of the Cornish wrecker, when opening the case, has often been quoted. The Marquis at this time had reached the age when Antony fell to Cleopatra's charm. His riches were great and he was equally wealthy in experiences which possibly prompted the nature of the defence; its callousness so fired Curran's generous indignation that "his speech against Lord Headfort is beyond comparison the most persuasive pleading ever uttered in a case not involving national interests or public passions."

Who are the parties?

The plaintiff, young, amiable, of family and education. Of the generous disinterestedness of his heart you can form an opinion even from the evidence of the defendant, that he declined an alliance, which would have added to his fortune and consideration, and which he rejected for an unportioned union with his present wife. She, too, at that time, was young, beautiful, and accomplished; and

felt her affection for her husband increase, in proportion as she remembered the ardour of his love, and the sincerity of his sacrifice.

Look now to the defendant !—I blush to name him ! I blush to name a rank which he has tarnished—and a patent which he has worse than cancelled. High in the army—high in the State—the hereditary councillor of the king—of wealth incalculable—and to this last I advert with an indignant and contemptuous satisfaction, because, as the only instrument of his guilt and shame, it will be the means of his punishment, and the source of compensation for his guilt.

Oh ! how happy had it been when he arrived at the bank of the river with the ill-fated fugitive, ere yet he had committed her to that boat, of which, like the fabled bark of Styx, the exile was eternal—how happy at that moment, so teeming with misery and with shame, if you, my lord, had met him, and could have accosted him in the character of that good genius which had abandoned him. How impressively might you have pleaded the cause of the father, of the child, of the mother, and even of the worthless defendant himself. You would have said : “ Is this the requital that you are about to make for respect and kindness, and confidence in your honour ? Can you deliberately expose this young man, in the bloom of life, with all his hopes before him—can you expose him, a wretched outcast from society, to the scorn of a merciless world ? Can you set him adrift upon the tempestuous ocean of his own passions, at this early season, when they are most headstrong ; and can you cut him out from



the moorings of those domestic obligations to whose cable he might ride in safety from their turbulence? Think of, if you can conceive it, what a powerful influence arises from the sense of home, from the sacred religion of the heart in quelling the passions, in reclaiming the wanderings, in correcting the discords of the human heart; do not cruelly take from him the protection of these attachments.

But if you have no pity for the father, have mercy at least upon his innocent and helpless child; do not condemn him to an education scandalous or neglected; do not strike him into that most dreadful of all human conditions, the orphanage that springs not from the grave, that falls not from the hand of Providence, or from the stroke of death, but comes before its time, anticipated and inflicted by the remorseless cruelty of parental guilt."

"Mean however, and degraded as this woman must be, she will still (if you take her with you), have strong and heavy claims upon you. The force of such claims does certainly depend upon circumstances; before, therefore, you expose her fate to the dreadful risk of your caprice or ingratitude, in mercy to her, weigh well the confidence she can place in your future justice and honour: at that future time, much nearer than you think, by what topics can her cause be pleaded to a sated appetite, to a heart that repels her, to a just judgment in which she never could have been valued or respected? Here is not the case of an unmarried woman, with whom a pure and generous friendship may insensibly have ripened into a more serious attachment, until at last her heart became

too deeply pledged to be reassumed. If so circumstanced, without any husband to betray, or child to desert, or motive to restrain, except what related solely to herself, her anxiety for your happiness made her overlook every other consideration, and commit her history to your honour ; in such a case, the strongest and the highest that man's imagination can suppose, in which you at least could see nothing but the most noble and disinterested sacrifice ; in which you could find nothing but what claimed from you the most kind and exalted sentiment of tenderness and devotion, and respect ; and in which the most fastidious rigour would find so much more subject for sympathy than blame ; let me ask you, could you even in that case, answer for your own justice and gratitude ?

“ I do not allude to the long and pitiful catalogue of paltry adventures, in which it seems your time has been employed ; the coarse and vulgar succession of casual connections, joyless, loveless, and unendeared. But do you not find upon your memory some trace of an engagement of the character I have sketched ? Has not your sense of what you would owe in such a case, and to such a woman, been at least once put to the test of experiment ? Has it not once, at least, happened that such a woman, with all the resolution of strong faith, flung her youth, her hope, her beauty, her talent, upon your bosom, weighed you against the world, which she found but a feather in the scale, and took you as an equivalent ? How did you then acquit yourself ? Did you prove yourself worthy of the sacred trust reposed in you ? Did your spirit so associate with hers, as to leave her no

room to regret the splendid and disinterested sacrifice she had made ? Did her soul find a pillow in the tenderness of yours, and a support in its firmness ? Did you preserve her high in her own consciousness, proud in your admiration and friendship, and happy in your affection ? You might have so acted ; and the man that was worthy of her would have perished rather than not so act, as to make her delighted with having confided so sacred a trust to his honour. Did you so act ? Did she feel that, however precious to your heart, she was still more exalted and honoured in your reverence and respect ? Or did she find you coarse and paltry, fluttering and unpurposed, unfeeling and ungrateful ? You found her a fair and blushing flower, its beauty and its fragrance bathed in the dew of heaven. Did you so tenderly transplant it, as to preserve that beauty and fragrance unimpaired ? Or did you so rudely cut it, as to interrupt its nutriment, to waste its sweetness, to blast its beauty, to bow its faded and sickly head ? And did you at last fling it like ' a loathsome weed away ' ? Send her back to her home, to her child, to her husband, to herself."

Alas ! there was no one to hold such language to this noble defendant ; he did not hold it to himself. But he paraded his despicable prize in his own carriage, with his own retinue, his own servants ; this veteran Paris hawked his enamoured Helen from this western quarter of the island to a seaport in the eastern, crowned with the acclamations of a senseless and grinning rabble, glorying and delighted, no doubt, in the leering and scoffing admiration of grooms and ostlers, and waiters, as he passed.

In this odious contempt of every personal feeling, of public opinion, of common humanity, did he parade this woman to the seaport, whence he transported his precious cargo to a country, where her example may be less mischievous than in her own; where I agree with my learned colleague in heartily wishing he may remain with her for ever. We are too poor, too simple, too unadvanced a country, for the example of such achievements. When the relaxation of morals is the natural growth and consequence of the great progress of art and wealth, it is accompanied by a refinement that makes it less gross than shocking; but for such palliations we are at least a century too young. I advise you, therefore, most earnestly, to rebuke this budding mischief, by letting the wholesome vigour and chastisement of a liberal verdict speak what you think of its enormity.

But he has pressed another curious topic upon you. After the plaintiff had cause to suspect his designs, and the likelihood of their being fatally successful, he did not then act precisely as he ought. Gracious God! what an argument for him to dare to advance! It is saying this to him:—"I abused your confidence, your hospitality; I laid a base plan for the seduction of the wife of your bosom; I succeeded at last, so as to throw in upon you that most dreadful of all suspicions to a man fondly attached, proud of his wife's honour, and tremblingly alive to his own; that you were possibly a dupe to the confidence in the wife, as much as in the guest. In this so pitiable distress, which I myself had studiously and deliberately contrived for you, between hope and fear,



and doubt and love, and jealousy and shame ; one moment shrinking from the cruelty of your suspicion ; the next, fired with indignation at the facility and credulity of your acquittal ; in this labyrinth of doubt, in this frenzy of suffering, you were not collected and composed ; you did not act as you might have done, if I had not worked you to madness ; and upon that very madness which I have inflicted upon you, upon the very completion of my guilt, and of your misery, I will build my defence. You did not act critically right, and therefore are unworthy of compensation."

Gentlemen, can you be dead to the remorseless atrocity of such a defence ! And shall not your honest verdict mark it as it deserves.

But let me go a little further ; let me ask you, for I confess I have no distinct idea—What should be the conduct of a husband so placed, and who is to act critically right ? Shall he lock her up, or turn her out, or enlarge or abridge her liberty of acting as she pleases ? Oh, dreadful Areopagus of the tea-table ! how formidable thy inquests, how tremendous thy condemnations ! In the first case, he is brutal and barbarous ; an odious eastern despot. In the next ; what ! turn an innocent woman out of his house, without evidence or proof, but merely because he is vile and mean enough to suspect the wife of his bosom and the mother of his child ! Between these extremes, what intermediate degree is he to adopt ? I put this question to you—Do you at this moment, uninfluenced by any passion as you now are, but cool and collected, and uninterested as you must be, do you see clearly this proper and exact line, which the

plaintiff should have pursued ? I much question if you do. But if you did or could, must you not say, that he was the last man from whom you should expect the coolness to discover, or the steadiness to pursue it ? And yet this is the outrageous and insolent defence that is put forward to you. My miserable client, when his brain was on fire, and every fiend of hell was let loose upon his heart, should then, it seems, have placed himself before his mirror : he should have taught the stream of agony to flow decorously down his forehead ; he should have composed his features to harmony ; he should have writhed with grace, and groaned in melody.

But look farther to this noble defendant and his honourable defence. The wretched woman is to be successively the victim of seduction, and of slander. She, it seems, received marked attentions. Here, I confess, I felt myself not a little at a loss. The witnesses could not describe what these marked attentions were, or are. They consisted, not, if you believe the witness, that swore to them, in any personal approach, or contact whatsoever, or in any unwarrantable topics of discourse. Of what materials, then, were they composed ? Why it seems a gentleman had the insolence at table to propose to her a glass of wine ; and she, oh, most abandoned lady ! instead of flying like an angry parrot at his head, and besmirching and bescratching him for his insolence, tamely and basely replies, " Port, sir, if you please."

Tut, gentlemen, why do I advert to this folly, this nonsense ? Not surely to vindicate from censure the most innocent and the most delightful intercourse of social kindness, or harmless and cheerful courtesy, " where

virtue is, these are most virtuous." But I am soliciting your attention, and your feeling, to the mean and odious aggravation, to the unblushing and remorseless barbarity, of falsely aspersing the wretched woman he had undone.

One good he has done, he has disclosed to you the point in which he can feel ; for how imperious must that avarice be, which could resort to so vile an expedient of frugality ? Yes, I will say, that, with the common feelings of a man, he would have rather suffered his thirty thousand a year to go as compensation to the plaintiff, than have saved a shilling of it by so vile an expedient of economy. He would rather have starved with her in a gaol, he would rather have sunk with her in the ocean, than have so vilified her—than have so degraded himself. . . . .

The devil, it seems, has saved the noble Marquis harmless in the past ; but your verdict will tell him the term of that indemnity is expired—that his old friend and banker has no more effects in his hands—and that if he draws any more upon him, he must pay his own bills himself. You will do much good by doing so : you may not enlighten his conscience, nor touch his heart ; but his frugality will understand the hint. It will adopt the prudence of age, and deter him from pursuits, in which, though he may be insensible of shame, he will not be regardless of expense. You will do more—you will not only punish him in his tender point, but you will weaken him in his strong one, his money. We have heard much of this noble Lord's wealth, and much of his exploits, but not much of his accomplishments or his wit ; I know not if his verses have soared even to the " poet's corner."

I have heard it said, that an ass laden with gold could find his way through the gate of the strongest city. But, gentlemen, lighten the load upon his back, and you will completely curtail the mischievous faculty of a grave animal, whose momentum lies, not in his agility, but his weight; not in the quantity of his motion but the quantity of his matter.

There is another ground on which you are called upon to give most liberal damages, and that has been laid by the unfeeling vanity of the defendant. This business has been marked by the most elaborate publicity. It is very clear that he has been allured by the glory of the chase, and not the value of the game. The poor object of his pursuit could be of no value to him, or he would not have so wantonly, and cruelly, and unnecessarily abused her. He might easily have kept this unhappy intercourse an unsuspected secret. Even if he wished for elopement, he might easily have so contrived it, that the place of her retreat would be profoundly undiscoverable.

Yet, though even the expense, a point so tender to his delicate sensibility, of concealing could not be one-fortieth of the cost of publishing her, his vanity decided him in favour of glory and publicity. By that election, he has in fact, put forward the Irish nation, and its character so often and so variously calumniated, upon its trial before the tribunal of the empire; and your verdict will this day decide whether an Irish jury can feel with justice and spirit upon a subject that involves conjugal affection and comfort, domestic honour and repose, the certainty of issue, the weight of public opinion, the gilded and



presumptuous criminality of overweening rank and station.

I doubt not but he is at this moment reclined on a silken sofa, anticipating that submissive and modest verdict, by which you will lean gently on his errors ; and expecting from your patriotism, no doubt, that you think again, and again, before you condemn any great portion of the immense revenue of a great absentee, to be detained in the nation that produced it, instead of being transmitted, as it ought, to be expended in the splendour of another country. He is now probably waiting for the arrival of the report of this day, which I understand a famous note-taker has been sent hither to collect. Let not the gentleman be disturbed.

Gentlemen, let me assure you, it is more, much more, the trial of you than of the noble Marquis, of which this imported recorder is at this moment collecting materials. His noble employer is now expecting a report to the following effect :—" Such a day came on to be tried at Ennis, by a special jury, the cause of Charles Massy against the most noble Marquis of Headfort. It appeared that the plaintiff's wife was young, beautiful, and captivating ; the plaintiff himself, a person fond of this beautiful creature to distraction, and both doating on their child. But the noble Marquis approached her ; the plume of glory nodded on his head. Not the goddess Minerva, but the goddess Venus, had lighted up his casque with ' the fire that never tires, such as many a lady gay had been dazzled with before.' At the first advance she trembled ; at the second, she struck to the redoubted son of Mars and pupil of Venus. The jury

saw it was not his fault (it was an Irish jury) ; they felt compassion for the tenderness of the mother's heart, and for the warmth of the lover's passion. The jury saw on one side, a young, entertaining gallant ; on the other, a beauteous creature, of charms irresistible. They recollected that Jupiter had been always successful in his amours, although Vulcan had not always escaped some awkward accidents. The jury was composed of fathers, brothers, husbands, but they had not the vulgar jealousy, that views little things of that sort with rigour ; and, wishing to assimilate their country in every respect to England, now that they are united to it, they, like English gentlemen, returned to their box, with a verdict of 6d. damages, and 6d. costs."

Let this be sent to England. I promise you, your odious secret will not be kept better than that of the wretched Mrs. Massy. There is not a bawdy chronicle in London, in which the epitaph which you would have written on yourselves will not be published ; and our enemies will delight in the spectacle of our precocious depravity, in seeing that we can be rotten before we are ripe. I do not suppose it ; I do not, cannot, will not believe it ; I will not harrow up myself with the anticipated apprehension.

There is another consideration, gentlemen, which I think most imperiously demands even a vindictive reward of exemplary damages—and that is, the breach of hospitality.

To us peculiarly does it belong to avenge the violation of its altar. The hospitality of other countries is a matter of necessity or convention—in savage nations, of the first ;

in polished, of the latter : but the hospitality of an Irishman is not the running account of posted and ledgered courtesies, as in other countries ; it springs like all his qualities, his faults, his virtues, directly from his heart. The heart of an Irishman is by nature bold, and he confides ; it is tender, and he loves ; it is generous, and he gives ; it is social, and he is hospitable. This sacrilegious intruder has profaned the religion of that sacred altar so elevated in our worship, so precious to our devotion : and it is our privilege to avenge the crime. You must either pull down the altar, and abolish the worship ; or you must preserve its sanctity undebased. There is no alternative between the universal exclusion of all mankind from your threshold, and the most rigorous punishment of him who is admitted and betrays.

Gentlemen, I am the more disposed to feel the strongest indignation and abhorrence at this odious conduct of the defendant, when I consider the deplorable condition to which he has reduced the plaintiff, and perhaps the still more deplorable one that the plaintiff has in prospect before him. What a progress has he to travel through, before he can attain the peace and tranquillity which he has lost ? How like the wounds of the body are those of the mind ! how burning the fever ! how painful the supuration ! how slow, how hesitating, how relapsing the process to convalescence ! Through what a variety of suffering, what new scenes and changes must my unhappy client pass, ere he can re-attain, should he ever re-attain, that health of soul of which he was despoiled by the cold and deliberate machinations of this practised and gilded seducer ?

But I confess, I feel a ten-fold solicitude when I remember that I am addressing you as my countrymen, as Irishmen, whose characters as jurors, as gentlemen, must find either honour or degradation in the result of your decision. Small as must be the distributive share of that national estimation, that can belong to so unimportant an individual as myself, yet I do own I am tremblingly solicitous for its fate. Perhaps it appears of more value to me, because it is embarked on the same bottom with yours; perhaps the community of peril, of common safety, or common wreck gives a consequence to my share of the risk, which I would not be vain enough to give it, if it were not raised to it by that mutuality. But why stoop to think at all of myself, when I know that you, gentlemen of the jury—when I know that our country itself are my clients on this day, and must abide the alternative of honour or of infamy, as you shall decide. But I will not despond, I will not dare to despond. I have every trust and hope, and confidence in you. And to that hope I will add my most fervent prayer to the God of all truth and justice, so to raise and enlighten and fortify your minds, that you may so decide, as to preserve to yourselves while you live, the most delightful of all recollections—that of acting justly; and to transmit to your children the most precious of all inheritances—the memory of your virtue.

Baron Smith charged, and after a trial of twelve hours' duration, the Jury at midnight found for the plaintiff £10,000 damages with costs.



## ELECTION AT NEWRY.

(October 17, 1812.)

Having passed on to the circumstances of the test proposed to his opponent, which, said Mr. Curran, was the most moderate ever witnessed, it was merely that he would not obstinately persevere in betraying the trust reposed in him, what was his answer? Certainly it was fair and candid, and giving you all the fullest notice of what you had to expect; he said, that he was not an orator; that his principles were those of a soldier; and that whatever question came forward, he would vote as he should think best; that is, in other words, if you returned him, you would send him a mute to Parliament, with a parchment in one hand, under the name of a return, containing the terms of your capitulation, and a bow-string in the other; during the debate he would ring the dumb bell but, on the division,—

“When it became a passing bell,  
O! then he'd sing it passing well.”

Indeed, to touch but passingly upon the subsequent transactions of the election, they are fresh in your minds. You saw those who voted for their country; you saw those who voted against their country, and against themselves. Every honourable, every respectable man, within your borough, except the unfortunate Mr. Caulfield, and his two associates, were in the former class; but why do I except them? They do not belong to that class of public spirit or honour; you saw the class to which these unfortunate men properly belong. You saw a succession of poor creatures, without clothes upon their backs, naked, as if they had been stripped for execution, naked, as if they had been landed from their mothers, consigned to the noble general at the moment of their birth, no part of them covered but their chins, as if nature had stuck a beard upon them in derision of their destiny. Such has

been the contest, such the adverse forces, such, too, thus far, the result. But I told you that the contest was of more value than the victory ; that if it did not give you triumph, it would give you wisdom ; and to keep this promise, I must carry back your reflections to times that have passed us ; and I must do that to show you that all our miseries and degradation have sprung from a disunion, cruelly and artfully fabricated by a foreign country, for the base purpose of driving us to suicide, and making us the instrument of our own destruction.

Mr. Curran here rapidly sketched the first dawn of dissension in Ireland, the conqueror and the conquered, a conquest, too, obtained, like all the victories over Ireland, by the triumph of guilt over innocence, this dissension followed up by the natural hatred of the spoiler and the despoiled ; followed up further by the absurd antipathies of religious sects ; and still further followed by the rivalries of trade, the cruel tyrants of Ireland dreading, that, if Irish industry had not her hands tied behind her back, she might become impatient of servitude, and those hands might work her deliverance.

To this growing accumulation of Irish dissension, the miserable James the Second, his heart rotted by the depravity of that France which had given him an interested shelter from the just indignation of his betrayed subjects, put the last hand ; and an additional dissension, calling itself political, as well as religious, was superadded. Under this sad coalition of confederating dissensions, nursed and fomented by the policy of England, this devoted country has continued to languish, with small fluctuations of national destiny, from the invasion of the second Henry, to the present time. And here let me be just while I am indignant ; let me candidly own, to the noble examples of British virtue, to the splendid exertions of British courage, to their splendid sacrifices,

am I probably indebted for my feelings as an Irishman, and my devotion to my country. They thought it madness to trust themselves to the influence of any foreign country ; they thought the circulation of the political blood could be carried on only by the action of the heart within the body, and could not be maintained from without. Events have shown you that what they thought was just, and that what they did was indispensable ; they thought they ought to govern themselves, they thought that at every hazard they ought to make the effort, they thought it more eligible to perish than to fail, and to the God of heaven I pray, that the authority of so splendid an example may not be lost upon Ireland.

Mr. Curran in adverting to the state of Ireland, from the Revolution to the year 1782, called her a sad continuing spectacle of disgrace, and oppresson, and plunder, which she was too enfeebled by dissension to resist ; because she was the abject, sad, helpless victim of the sordid, insatiable, and implacable tyranny of a foreign country.

At length, in 1782, a noble effort was made, and deathless ought to be the name of him\* that made it, and deathless ought to be the gratitude of the country for which it was made, the independence of Ireland was acknowledged. Under this system of asserted independence, our progress in prosperity was much more rapid than could have been expected, when we remember the conduct of a very leading noble person upon that occasion. Never was a more generous mind, or a purer heart ; but his mind had more purity than strength ; he had all that belonged to taste, and courtesy, and refinement ; but the grand and the sublime of national reform were composed

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\* Henry Grattan.

of colours too strong for his eye, and comprised an horizon too outstretched for his vision. The Catholics of Ireland were in fact excluded from the asserted independence of their country. Thus far the result comes to this, that wherever perfect union is not found complete redress must be sought in vain.

Mr. Curran, in observing on the Union, called it the last and mortal blow to the existence of Ireland, as a nation ; a consummation of our destruction, achieved by that perpetual instrument of our ruin, our own dissensions.

The whole history of mankind records no instance of any hostile cabinet, perhaps of any, even internal cabinet destitute of all principles of honour or of shame. The Irish Catholic was taught to believe, that if he surrendered his country, he would cease to be a slave. The Irish Protestant was cajoled into the belief, that if he concurred in the surrender, he would be placed upon the neck of an hostile faction. Wretched dupe ! You might as well persuade the gaoler, that he is less a prisoner than the captives he locks up, merely because he carries the key of the prison in his pocket. By that reciprocal animosity, however, Ireland was surrendered, the guilt of the surrender was most atrocious, the consequences of the crime most tremendous and exemplary. We put ourselves into a condition of the most unqualified servitude, we sold our country, and we levied upon ourselves the price of the purchase, we gave up the right of disposing of our properties, we yielded to a foreign legislature to decide, whether the funds necessary to their projects or their profligacy should be extracted from us, or be furnished by themselves ; the consequence has been, our scanty means



have been squandered in her internal corruption, as profusely as our best blood has been wasted in the madness of her aggressions, or the feeble folly of her resistance, our debt has accordingly been increased more than tenfold, the common comforts of life have been vanishing, we are sinking into beggary, our poor people have been worried by cruel and unprincipled prosecutions, and the instruments of our Government have been almost simplified into the tax-gatherer and the hangman. At length, after this long night of suffering, the morning star of our redemption cast its light upon us, the mist was dissolved, and all men perceived that those whom they had been blindly attacking in the dark, were, in reality, their fellow-sufferers and their friends ; we have made a discovery of the grand principle in politics, that the tyrant is in every instance the creature of the slave, that he is a cowardly and a computing animal, and that, in every instance, he calculates between the expenditure to be made, and the advantage to be acquired. I therefore do not hesitate to say, that if the wretched Island of Man, that *refugium peccatorum*, had sense and spirit to see the force of this truth she could not be enslaved by the whole power of England ; the oppressor would see that the necessary expenditure in whips, and chains, and gibbets, would infinitely countervail the ultimate value of the acquisition, and it is owing to the ignorance of this unquestionable truth, that so much of this agitated globe has, in all ages, been crawled over by a Manx population. This discovery, at last, Ireland has made, the Catholic claimed his rights, the Protestant generously and nobly felt as he ought, and seconded the claim, a silly Government was

driven to the despicable courage of cowardice, and resorted to the odious artillery of prosecutions ; the expedient failed ; the question made its way to the discussion of the senate. I will not tire you with a detail ; a House of Commons, who at least represented themselves, perhaps afraid, perhaps ashamed of their employers, became unmanageable tools in the hands of such awkward artists, and were dissolved ; just as a beaten gamester throws the cards into the fire, in hopes in a new pack to find better fortune.

Here the speaker was interrupted.

He resumed—I do not wonder, said he, at having provoked interruption, when I spoke of your borough, I told you that from this moment it is free. Never in my life have I so felt the spirit of the people, as among you, never have I so felt the throbs of returning life, I almost forgot my own habitual estimate of my own small importance, I almost thought it was owing to some energy within myself, when I was lifted and borne on upon the buoyant surge of popular sympathy and enthusiasm. I, therefore, again repeat it, it is the moment of your new birth unto righteousness, your proved friends are high among you, your developed enemies are expunged for ever, your liberty has been taken from the grave, and if she is put back into the tomb, it can only be by your own parricide, and she must be buried alive.

I have to add, for your satisfaction, a statement has been laid before me of the grossest bribery, which will be proved, beyond all doubt, and make the return a nullity. I have also received a statement of evidence to show, that

more than one third of those who voted against us, had been trained by bribe and terror into perjury, when they swore to the value of their qualifications. Some of those houses had actually no existence whatsoever: they might as well have voted from their pasture to give their suffrage; and Nebuchadnezzar, in the last year of his feeding on grass, would have been as competent as they were to vote in Ireland. But I enlarge not upon this topic. To touch upon it is enough for the present; the detail must be reserved for a future occasion, and another place. It belongs only to the hopeless, to be angry; do not you, therefore, be angry, where you cannot be surprised. You have been insulted, and oppressed, and betrayed; but what better could you hope from such a ministry as their own nation is cursed withal; they hear the voice of suffering England now thundering in their ears; they feel they cannot retain, they are anxious to destroy, they are acting upon the principle of Russian retreat. Pressed upon by the people, and beaten back into their fastnesses, they depopulate as they retire: but what better could you have ever hoped from such men; a motley group, without virtue, or character, or talent; the sort of cabinet that you have laughed at on the stage, where the "potent, grave, and reverend signiors" were composed of scene-shifters, and candle-snuffers, robed in old curtains, and wigged from the stores of the theatre? They affected to profess religious distinctions, but they were too grossly ignorant to conceive any such. There is no science in which a man must not know something to qualify him for misconception.

Shall I, my friends, say one serious word to you upon this serious subject ? Patriotism is of no one religion ; Christianity belongs exclusively to no sect ; and moral virtue and social duty are taught with equal exactness by every sect, and practised with equal imperfection by all ; and therefore, wherever you find a little interested bustling bigot, do not hate him, do not imitate him, pity him if you can. I scarcely wish you not to laugh when you look at one of these pearl-divers in theology, his head barely under water, his eyes shut, and an index floating behind him, displaying the precise degree of his purity and his depth. A word or two upon your actual position ; and what upon that subject but a word of sadness, the monumental inscription upon the head-stone of our grave ? all semblance of national independence buried in that grave in which our legislature is interred, our property and our persons are disposed of by laws made in another clime, and made like boots and shoes for exportation, to fit the wearers as they may. If you were now to consult my learned friend here, and ask him how much of your property belongs to yourself, or for what crime you may be whipped, or hanged, or transported, his answer would be, " It is impossible, sir, to tell you now ; but I am told that the packet is on the bay." It was, in fact, the real design of a rash, and arbitrary, and short-sighted projector, at once to deprive you of all power, as to your own taxation, and of another power of not very inferior importance, and which, indeed, is inseparably connected with taxation, to rob you of all influence upon the vital question of peace or war ; and to bring all within the control of an English minister. This very power, thus acquired by that detested



Union, has been a mill-stone about the neck of England. From that hour to this she has been flaring away in her ruinous and wasteful war : her allies no more, her enemies multiplied, her finances reduced to rags, her people depressed and discontented, her artizans reduced to the last ebb, and their discontents methodised into the most terrific combinations ; her labourers without employment, her manufacturers without a market, the last entrance in the north, to which they could have looked, being now shut up against them, and fastened by a bar that has been reddened in the flames of Moscow. But this, gentlemen, is a picture too heart-rending to dilate upon ; you cannot but know it already ; and I do not wish to anticipate the direful consequences by which you are too probably destined to feel it further to the quick. I find it a sort of refuge to pass to the next topic which I mentioned as calling for your attention, namely, what foundation, what ground we had for hope.

. . . . .

Let me remind you, before I go, of that precept, equally profound and beneficent, which the meek and modest author of our blessed religion left to the world : “ And one commandment I give you, that you love one another.” Be assured, that of this love the true spirit can be no other than probity and honour. The great analogies of the moral and the physical world are surprisingly coincident, you cannot glue two pieces of board together, unless the joint be clean, you cannot unite two men together, unless the cement be virtue ; for vice can give no sanction to compact, she can form no bond of affection.

And now, my friends, I bid you adieu, with a feeling

at my heart that can never leave it, and which my tongue cannot attempt the abortive effort of expressing. If my death do not prevent it, we shall meet again in this place. If you feel as kindly to me as I do to you, relinquish the attestations which I know you had reserved for my departure. Our enemy has, I think, received the mortal blow, but, though he reels, he has not fallen ; and we have seen too much, on a greater scale, of the wretchedness of anticipated triumph. Let me, therefore, retire from among you, in the way that becomes me, and becomes you, uncheered by a single voice, and unaccompanied by a single man. May the blessing of God preserve you in the affection of one another !

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## RICHARD BRINSLEY SHERIDAN (1751-1816).

### ROBBERY OF THE PRINCESSES OF OUDE (February 7, 1787.)

Like Burke, Sheridan was thoroughly roused by the operations of Warren Hastings while Empire building in India. He was a constant attendant at the committee meetings, where witnesses were examined, and when the articles of indictment were prepared he was entrusted with the task of getting assent to those recording the spoliation of the Begums, or Princesses of Oude, a spoliation effected by the son of one of those ladies, Asoph ul Dowlah, at the instigation of Hastings, then pressed for money, the pretext being that the Begums had no title to the treasure and had been engaged in the rebellion of Cheit Sing. The other characters of this squalid tragi-comedy were Middleton, Bristow, Hannay and Gordon, the two former, British "residents," the two latter British officers. The scene was Oude, the most ancient centre of Indian civilisation. It is good to recall that Oude paid something of its debt in the "mutiny" of 1857.

Sheridan's speech occupied over five hours, and at the conclusion the whole house, members, peers and strangers burst into a tumult of applause, the chamber ringing with the unaccustomed sound of hand-clapping, as if the place had been a theatre and Charles Surface engaged in borrowing Joseph's morality. So great was its effect that Pitt moved the adjournment of the debate. He acknowledged

that it "surpassed all the eloquence of ancient or modern times, and possessed everything that genius or art could furnish to agitate and control the human mind." Fox, said that "all he had ever heard—all that he had ever read when compared with it, dwindled into nothing, and vanished like vapour before the sun." Burke declared it to be "the most astonishing effort of eloquence, argument, and wit, united, of which there was any record or tradition."

Unfortunately, no verbatim record remains, but the best report appeared in the "London Chronicle," February 8th, 1787.

Having alluded to explanatory additions to evidence which Sir Elijah Impey, Chief Justice of Bengal and intimate friend of Warren Hastings, wished to give, in terms which showed he comprehended the motive, Mr. Sheridan went on to ask : Was Parliament mis-spending its time, by enquiring into the oppressions practised on millions of unfortunate persons in India, and endeavouring to bring the daring delinquent, who had been guilty of the most flagrant acts of enormous tyranny and rapacious speculation, to exemplary and condign punishment ? Was it a misuse of their functions to be diligent in attempting by the most effectual means, to wipe off the disgrace affixed to the British name in India, and to rescue the national character from lasting infamy ? Surely no man who felt for either the one or the other would think a business of greater moment, or magnitude, could occupy his attention ; or that the House could, with too much steadiness, too ardent a zeal, or too industrious a perseverance, pursue its object. Their conduct in this respect, during the course of the preceding year, had done them immortal honour, and proved to all the world, that however



degenerate an example of Englishmen some of the British subjects had exhibited in India, the people of England collectively, speaking and acting by their representatives, felt as men *should* feel on such an occasion, and they were anxious to do justice, by redressing injuries, and punishing offenders, however high their rank, however elevated their station.

The House had set up a beacon, which, whilst it served to guide their own way, would also make their motions more conspicuous to the world which surrounded and beheld them. He had no doubt but in *their* manly determination, to go through the whole of the business with the same steadiness which gave such sterling brilliancy of character to their outset, they might challenge the world to observe and judge of them by the result. Impossible was it for such men to become improperly influenced by a paper, bearing the signature of Warren Hastings, and put, not many minutes before, into *their* hand, as well as his own, on their entrance into the House. The insidious paper he felt himself at liberty to consider as a second defence, and a second answer to the charge he was about to bring forward ; a charge replete with proof of criminality of the blackest die—of tyranny the most vile and premeditated—of corruption the most open and shameless—of oppression the most severe and grinding—of cruelty the most hard and unparalleled. But he was far from meaning to rest the charge on assertion, or on any warm expressions which the impulse of wounded feelings might produce. He would establish every part of the charge, by the most unanswerable proof, and the most unquestionable evidence ; and the witness whom he

would bring forth to support every fact which he would state, should be, for the most part, one whom no man would venture to contradict—Warren Hastings himself. Yet, this *character* had friends, nor were they blamable. They might believe him guiltless, because he asserted his integrity. Even the partial warmth of friendship, and the emotions of a good, admiring, and unsuspecting heart, might not only carry them to such lengths, but incite them to rise with an intrepid confidence in his vindication. Again would he repeat that the vote of the last session, wherein the conduct of this pillar of India, this corner stone of our strength in the East, this talisman of the British territories in Asia, was censured, did honour to the House, as it must be the fore-runner of speedy justice.

. . . . . There were questions on which party conviction was supposed to be a matter of easy acquisition ; and if this enquiry was to be considered merely as a matter of party, he should regard it as very trifling indeed ; but he professed to God, that he felt in his own bosom the strongest personal conviction ; and he was sensible that many other gentlemen did the same. It was on that conviction that he believed the conduct of Mr. Hastings in regard to the Nabob of Oude and the Begums, comprehended every species of human offence. He had proved himself guilty of rapacity at once violent and insatiable—of treachery, cool and premeditated—of oppression, useless and unprovoked—of breach of faith, unwarrantable and base—of cruelty unmanly and unmerciful. These were the crimes of which, in his soul and conscience, he arraigned Warren Hastings ; and of which he had the confidence to say he should convict him.

Having examined Mr. Hastings' evidence, which he declared false throughout, the speaker continued :—

Treasure, which was the source of all the cruelties, was the original pretence which Mr. Hastings had made to the Company for the proceeding ; and through the whole of his conduct he had alleged the principles of Mahomedanism in mitigation of the severities he had sanctioned ; as if he meant to insinuate that there was something in Mahomedanism which rendered it impious in a son not to plunder his mother.

The speaker then explained the principle of Mahomedan law by which the property or treasure contained in the Zenana, or women's quarter, belonged to the wife solely, on the death of the husband. The Begums of Oude had considerable property, and Mr. Hastings set about acquiring it by a charge of "rebellion" against the protective British government, to which Shujah ul Dowlah had been most friendly. The tool was her own son.

Mr. Hastings left Calcutta in 1781 and proceeded to Lucknow, as he said himself, with two great objects in his mind, Benares and Oude. What was the nature of these boasted resources ?—that he should plunder one or both—the equitable alternative of a highwayman, who in going forth in the evening, hesitates which of his resources to prefer—Bagshot ; or Hounslow. In such a state of generous irresolution did Mr. Hastings proceed to Benares and Oude. At Benares he failed in his pecuniary object. Then, and not till then—not on account of any ancient enmities shown by the Begums—not in resentment of any old disturbances, but because he had failed in one place, and had but two in his prospect, did he conceive the base expedient of plundering these aged women. He had no pretence, he had no excuse—he had nothing but the arro-

gant and obstinate determination to govern India by his own corrupt will to plead for his conduct. Inflamed by disappointment in his first project, he hastened to the fortress of Chunar, to meditate the more atrocious design of instigating a son against his mother, of sacrificing female dignity and distress to parricide and plunder. At Chunar was that infamous treaty concerted with the Nabob Vizier, to despoil the Princesses of Oude of their hereditary possessions ;—there it was that Mr. Hastings had stipulated with one, whom he called *an independent prince* “ that as great distress had arisen to the Nabob’s government from the military power and dominion assumed by the Jaghierdars, he be *permitted* to resume such as he may find necessary ; with a reserve, that all such, for the amount of whose Jaghiers the company are guarantees, shall in case of the resumption of their lands, be paid the amount of their net collections, through the resident, in ready money—and that no English resident be appointed at Furruckabad.”

No sooner was this foundation of iniquity thus instantly established, in violation of the pledged faith and solemn guarantee of the British Government ; no sooner had Mr. Hastings determined to invade the substance of justice, than he resolved to avail himself of her judicial forms ; and accordingly despatched a messenger for the chief justice of India to assist him in perpetrating the violations he had projected. Sir Elijah having arrived, Mr. Hastings, with much art, proposed a question of opinion, involving an unsubstantiated fact, in order to obtain even a surreptitious approbation of the measure he had predetermined to adopt. “ The Begums being in actual rebellion,



might not the Nabob confiscate their property ? ” “ Most undoubtedly,” was the ready reply of the friendly judge. Not a syllable of inquiry intervened, as to the existence of the imputed rebellion ; nor a moment’s pause as to the ill purposes to which the decision of a chief justice might be perverted. It was not the office of a friend to mix the grave caution and cold circumspection of a judge, with an opinion taken in such circumstances, and Sir Elijah had previously declared, that he gave his advice, not as a judge, but as a friend ; a character he equally preferred, in the strange office which he undertook of collecting defensive affidavits on the subject of Benares.

It was curious to reflect on the whole of Sir Elijah’s circuit at that perilous time. Sir Elijah had stated his desire of relaxing from the fatigues of office, and unbending his mind in a party of health and pleasure ; yet wisely apprehending that very sudden relaxation might defeat its object, he had contrived to mix some matters of business, to be interspersed with his amusements. He had, therefore, in his little airing of nine hundred miles, great part of which he went post, escorted by an army, selected those very situations where insurrection subsisted, and rebellion was threatened, and had not only delivered his deep and curious researches into the laws and rights of nations and of treaties, in the capacity of the Oriental Grotius, whom Warren Hastings was to study ; but likewise in the humbler and more practical situation of a collector of *ex parte* evidence. In the former quality, his opinion was the premature sanction for plundering the Begums—in the latter character, he became the posthumous supporter of the expulsion and pillage of the Rajah Cheit Sing.

Acting on an unproved fact, on a position as a datum of the Duke of Richmond's fabrication, he had not hesitated, in the first instance, to lend his authority as a license for unlimited persecution. In the latter, he did not disdain to scud about India like an itinerant informer, with a pedlar's pack of garbled evidence and surreptitious affidavits. What pure friendship, what a voucher of unequivocal attachment from a British judge to such a character as Warren Hastings ! With a generous oblivion of duty and of honour ; with a proud sense of having authorised all future rapacity, and sanctioned all past oppression, this friendly judge proceeded on his circuit of health and ease ; and whilst the Governor-General, sanctioned by this solemn opinion, issued his orders to plunder the Begums of their treasure, Sir Elijah pursued his progress, and passing through a wide region of distress and misery, explored a country that presented a speaking picture of hunger and nakedness, in quest of objects best suited to his feelings, in anxious search of calamities most kindred to his invalid imagination.

Under such circumstances did Mr. Hastings complete the treaty of Chunar ;—a treaty which might challenge all the treaties that ever subsisted, for containing in the smallest compass the most extensive treachery. Mr. Hastings did not conclude that treaty till he had received from the Nabob a present, or rather a bribe, of £100,000. . . . What was the consideration for this extraordinary bribe ? No less than the withdrawing from Oude not only all the English gentlemen in official situations, but the whole also of the English army ; and that too at the very moment when he himself had stated

the whole country of Oude to be in open revolt and rebellion. Other very strange articles were contained in the same treaty, which nothing but this infamous bribe could have occasioned, together with the reserve which he had in his own mind of treachery to the Nabob ; for the only part of the treaty which he ever attempted to carry into execution was to withdraw the English gentlemen from Oude. The Nabob, indeed, considered this as essential to his deliverance ; and his observation on the circumstance was curious—for though Major Palmer, said he, has not yet asked anything, I observe it is the custom of the English gentlemen constantly to ask for something from me before they go. . . . This was the only part of the treaty which he even affected to fill, in all its other parts, we learn from himself that at the very moment he made it he intended to deceive the Nabob . . . and instead of giving instant and unqualified assent to all the articles of the treaty, he perpetually qualified, explained, and varied them with new diminutions and reservations.

He heard it advanced by some of those admirers of Mr. Hastings, who were not so implicit as to give unqualified applause to his crimes, that they found an apology for the atrocity of them, in the greatness of his mind. To estimate the solidity of such a defence, it would be sufficient merely to consider in what consisted this prepossessing distinction, this captivating characteristic of greatness of mind. Is it not solely to be traced in great actions directed to great ends ? In them, and them alone, we are to search for true estimable magnanimity. To them only can we justly affix the splendid title and honours of real greatness. There was indeed another species of greatness, which dis-

played itself in boldly conceiving a bad measure, and undauntedly pursuing it to its accomplishment. But had Mr. Hastings the merit of exhibiting either of these descriptions of greatness ;—even of the latter ? He saw nothing great—nothing magnanimous—nothing open—nothing direct in his measures, or in his mind ;—on the contrary, he had too often pursued the worst objects by the worst means. His course was an eternal deviation from rectitude. He either tyrannised or deceived ; and was by turns a Dionysius and a Scapin. As well might the writhing obliquity of the serpent be compared to the swift directness of the arrow, as the duplicity of Mr. Hastings' ambition to the simple steadiness of genuine magnanimity. In his mind all was shuffling, ambiguous, dark, insidious, and little ; nothing simple, nothing un-mixed : all affected plainness, and actual dissimulation ; a heterogeneous mass of contradictory qualities ; with nothing great but his crimes ; and even these contrasted by the littleness of his motives, which at once denoted both his baseness and his meanness, and marked him for a traitor and a trickster. . . . He remembered to have heard an honourable and learned gentleman (Mr. Dundas) remark, that there was something in the first frame and constitution of the Company, which extended the sordid principles of their origin over all their successive operations ; connecting with their civil policy, and even with their boldest achievements, the meanness of a pedlar, and the profligacy of pirates. Alike in the political and the military line, could be observed auctioneering ambassadors and trading generals ;—and thus we saw a revolution brought about by affidavits ; an army employed in



executing an arrest ; a town besieged on a note of hand ; a prince dethroned for the balance of an account. Thus it was they exhibited a government, which united the mock majesty of a bloody sceptre, and the little traffic of a merchant's counting-house, wielding a truncheon with one hand, and picking a pocket with the other.

Mr. Sheridan then went into the various charges of inciting the peasantry to revolt, resisting the authority of the Nabob, aiding the insurrection at Benares, and then pointed out their real crime.

It was incontrovertible that the Begums were not concerned either in the rebellion of Bulbudder, or the insurrection of Benares, nor did Mr. Hastings ever seriously believe them guilty. Their *treasures* were their *treasons*, and Asoph ul Dowlah thought like an unwise prince when he blamed his father for leaving him so little wealth. His father, Shujah ul Dowlah, acted wisely in leaving his son with no temptation about him, to invite acts of violence from the rapacious. He clothed him with poverty as with a shield, and armed him with necessity as with a sword. . . . The Begums were by their condition, their age and their infirmities, almost the only souls in India who could not have a thought of distressing that government by which alone they could hope to be protected ; and to charge them with a design to depose their nearest and dearest relation was equally absurd. . .

The simple fact was, their treasure was their treason. But " they complained of the injustice." God of Heaven, had they not a right to complain ! After a solemn treaty violated ;—plundered of all their property, and on the eve of the last extremity of wretchedness, were they to be deprived of the last resource of impotent wretchedness

—complaint and lamentation ! Was it a crime that they should crowd together in fluttering trepidation like a flock of resistless birds on seeing the felon kite, who, having darted at one devoted bird, and missed his aim, singled out a new object, and was springing on his prey with redoubled vigour in his wing, and keener vengeance in his eye.

Mr. Sheridan then reviewed the affidavits prepared by some military men as evidence against the Begums. They refute the allegation that the English are an unimaginative race, one, describing how 50 British troops guarding 200 prisoners were attacked by 6,000 and relieved by the approach of nine men is worthy the best traditions of modern journalism.

And of such extraordinary hearsay evidence were most of the depositions composed. Considering, therefore, the character given by Mr. Hastings to the British army in Oude, "that they manifested a rage for rapacity and speculation," it was extraordinary that there were no instances of stouter swearing. But as for Colonel Gordon, he afforded a flagrantly conspicuous proof of the grateful spirit and temper of affidavits designed to plunge these wretched women in irretrievable ruin. Colonel Gordon was, just before, not merely released from danger, but preserved from imminent death by the very person whose accuser he thought fit to become ; and yet, incredible as it may appear, even at the expiration of two little days from his deliverance, he deposes against the distressed and unfortunate woman who had become his saviour, and only upon hearsay evidence accuses her of crimes and rebellion. Great God of Justice ! Canst Thou from Thy eternal throne look down upon such premeditated

turpitude of heart, and not fix some mark of dreadful vengeance upon the perpetrators? . . . .

Here he would pause a moment, and particularly address himself to one description of gentlemen, those of the learned profession, within those walls.

Within those walls, they saw that that House was the path to fortune in their profession ; that they might soon expect that some of them were to be called to a dignified situation, where the great and important trust would be reposed in them of protecting the lives and fortunes of their fellow-subjects. One right honourable and learned gentleman in particular (Sir Lloyd Kenyon), if rumour spoke right, might suddenly be called to succeed that great and venerable character, who long had shone the brightest luminary of his profession, whose pure and steady light was clear even to its latest moment, but whose last beam must now too soon be extinguished. He would ask the supposed successor to Lord Mansfield, to calmly reflect on these extraordinary depositions, and solemnly to declare, whether the mass of affidavits taken at Lucknow would be received by him as evidence to convict the lowest object in this country ? If he said it would, he declared to God he would sit down and not add a syllable more to the too long trespass which he had made on the patience of the committee.

Having demonstrated the unreliability of the evidence and described the miseries of the princesses Mr. Sheridan went on—

Mr. Hastings had once remarked, that a mind touched with superstition might have contemplated the fate of the Rohillas with peculiar impressions. But if, indeed, his mind could yield to superstitious imagination ; if

his fancy could suffer any disturbance, and even in vision, image forth the proud spirit of Shujah Dowlah, looking down upon the ruin and devastation of his family, and beholding that palace which he had first wrested from his hand, and afterwards restored, plundered by that very army with which he himself had vanquished the Mah-rattas ; seizing on the very plunder which he had ravaged from the Rohillas ; that Middleton, who had been engaged in managing the previous violations, most busy to perpetrate the last ; that very Hastings, whom, on his death-bed, he had left the guardian of his wife and mother, and family, turning all those dear relations, the objects of his solemn trust, forth to the merciless seasons, and to a more merciless soldiery ! A mind touched with superstition must indeed have cherished such a contemplation with peculiar impressions ! That he was regularly acquainted with all the enormities committed on the Begums, there was the clearest proof ; it was true that Middleton was rebuked for not being more exact. He did not perhaps descend to the detail ; he did not give him an account of the number of groans which were heaved ; of the quantity of tears which were shed ; of the weight of the fetters ; or of the depth of the dungeons ; but he communicated every step which he took to accomplish the base and unwarrantable end. He told him that to save appearances they must use the name of the Nabob, and that they need go no farther than was absolutely necessary ; this he might venture to say without being suspected by Mr. Hastings of a too severe morality.

After showing how Hastings tried to shift the blame on the Council and had shrunk from the inquiry " under a new and pompous doctrine



that the majesty of justice was to be approached with supplication, and was not to degrade itself by hunting for crimes ; forgetting the infamous employment to which he had appointed an English Chief Justice, to hunt for criminal charges against innocent, defenceless women," Mr. Sheridan went on—

He had heard of factions and parties in that House, and knew that they existed. There was scarcely a subject upon which they were not broken and divided into sects. The prerogative of the crown found its advocates among the representatives of the people. The privileges of the people found opponents even in the House of Commons itself. Habits, connexions, parties, all led to diversity of opinion. But when inhumanity presented itself to their observations, it found no division among them : they attacked it as their common enemy ; and as if the character of this land was involved in their zeal for its ruin, they left it not till it was completely overthrown. It was not given to that House to behold the objects of their compassion and benevolence in the present extensive consideration, as it was to the officers who relieved, and who so feelingly described the extatic emotions of gratitude in the instant of deliverance. They could not behold the workings of the heart, the quivering lips, the trickling tears, the loud and yet tremulous joys of the millions whom their vote of this night would for ever save from the cruelty of corrupted power. But though they could not directly see the effect, was not the true enjoyment of their benevolence increased by the blessing being conferred unseen ? Would not the omnipotence of Britain be demonstrated to the wonder of nations, by stretching its mighty arm across the deep, and saving by its *fiat* distant millions from destruction ? And would

the blessings of the people thus saved, dissipate in empty air? No! I may dare to use the figure—we shall constitute Heaven itself our proxy, to receive for us the blessings of their pious gratitude, and the prayers of their thanksgiving. It is with confidence, therefore, Sir, that I move you on this charge, “that Warren Hastings be impeached.”

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## PROCEEDINGS AGAINST MR. HASTINGS IN WESTMINSTER HALL.

(June 3rd, 1788.)

The excitement caused by the Begum speech spread over England, and Sheridan's address, as manager of the impeachment, was eagerly awaited. It was the sensation of the hour and we learn that fifty pounds were cheerfully given for a seat—more than would be paid for a window at an execution. This great speech, according to Burke, unmatched for its splendour, extended over four days—Tuesday, 3rd June; Friday, 6th; Tuesday, 10th; Friday, 13th. It was delivered in Westminster Hall, and by 8 o'clock on the morning of the opening day “the avenues leading to the court, through the New and Old Palace Yard were filled with persons of the first distinction, many of them peeresses in full dress, who stood in the open air for upwards of an hour before the gates were opened. The exertions made in pressing forward to get convenient seats, had nearly proved fatal to many. The Peers did not enter the Hall till twelve o'clock. A few minutes after, the Lord Chancellor, having bowed to Mr. Sheridan, to signify to him that their lordships were ready to hear him, that honourable gentleman rose, whilst all about him preserved the most dignified and awful silence.”

Mr. Sheridan said—Such general remarks, as it was in his power to make, would only weaken what had been al-

ready urged by the right honourable gentleman who was the principal mover of the impeachment—whose genius exceeded everything but his disposition—who understood and felt for all—through whom, and by whom, so great an embodied stand had been made in defence of the rights of man against man's oppression. . . . He thought that if ever there was a prosecution in which those who carried it on were free from all unwarrantable resentment, or improper bias, it was the present. He could speak from his own heart, and declare most solemnly, that he found there no private incentive to the part he had taken in this impeachment; and he verily believed he might safely say that all his honourable colleagues, as well as himself, were actuated solely by the zeal they felt for the public welfare, and their honest solicitude for the honour of their country. With such subjects in view, he really lost sight of Mr. Hastings; who, however great in other respects, was too insignificant to be mixed with such important considerations. . . . In truth, the prosecution was not begotten in prejudice, or nursed in error. It was founded in the clearest conviction of the wrongs which the natives of Hindostan had suffered, through the mal-administration of those, in whose hands the country had placed extensive powers, which ought to have been exercised for the benefit of the governed; but which had been used by the prisoner at the bar, for the shameful purposes of oppression.

To convince their lordships that the British Government, which ought to have been a blessing to the powers in India connected with it, had been a scourge to the natives, and the cause of desolation to the most flourishing

provinces in Hindostan ; he had only to read a letter that had been received not long since from Lord Cornwallis, the present Governor-General of Bengal. In that letter the noble lord stated that he had been received by the Nabob Vizier with every mark of friendship and respect ; but the honour he received at the court of Lucknow had not prevented him from seeing the desolation that overspread the face of the country, the sight of which had shocked his very soul. He spoke to the Nabob on the subject, and earnestly recommended it to him to adopt some system of government, that might restore the prosperity of his kingdom and make his people happy. The Nabob's answer was strikingly remarkable. That degraded prince said to his lordship, that as long as the demands of the English Government upon the revenue of Oude should remain unlimited, he could have no interest in establishing any system of economy ; and whilst the English should continue to interfere in the internal government of his country, it would be in vain for him to attempt any salutary reform ; for his subjects knew he was only a cypher in his own dominions, and therefore laughed at and despised his authority, and that of his ministers.

Surely the state to which that wretched prince was reduced by our mismanagement, and the ruin which had, by the same cause, been brought upon his country, called loudly upon their lordships to interfere, and rescue their national honour and character from the infamy to which both would be exposed, if no enquiry was made into the causes of such calamities, and no punishment was inflicted on the authors of them. . . . In looking round for an object fit to be held out to the world as an



example of national justice, their lordships must necessarily fix their eyes upon Mr. Hastings. He was the great cause of the degradation of our character in India, and of the oppression of its devoted inhabitants ; and he was the only victim that could atone for the calamities he had occasioned. . . . .

Whilst he called for justice upon the prisoner, he could wish also to do him justice. He would be sorry that the weight and consequence of the commons of Great Britain, in whose name the prosecution had been set on foot, should operate to his prejudice. Indeed, whilst he had such upright judges as their lordships, it was impossible that anything could injure him, but the clearest and most unequivocal proofs of guilt—"It is not the peering suspicion of apprehending guilt. It is not any popular abhorrence of its widespread consequences. It is not the secret consciousness in the bosom of the judge, which can excite the vengeance of the law, and authorise its infliction ! No. In this good land, as high as it is happy, because as just as it is free, all is definite, equitable, and exact. The laws must be satisfied before infliction ensues. And ere a hair of the head can be plucked, legal guilt must be established by legal proof !"

Then having referred to the four defences made by Warren Hastings, three of which he himself discredited on consultation, Mr. Sheridan proceeds to the question of title to the treasure of Oude, and quotes a decision of Hastings against himself.

There was very good ground for presuming that the treasures possessed by the princess were her property, she had endeared herself to her husband, the late Nabob, by flying to him in the moment of his distress, after his

defeat at Buxar, and carrying with her to his relief the jewels, with which in happier days, his fondness for her had enriched her : upon these she raised him a large supply. When the political generosity of this country restored him afterwards to his throne, his gratitude to his wife knew no bounds ; her ascendancy over him was such, that she prevailed upon him to appoint his son by her, his successor.

The present Nabob, as had appeared from a passage in a letter written by Mr. Hastings to him and since proved in evidence, owed to her not only his birth and succession to the crown, but also the preservation of his life ; for one day his savage father in a rage attempting to cut him down, the Begum rushed between her husband and her son, and saved the latter, through the loss of some of her own blood ; for she was wounded by the blow that was not aimed at her. A son so befriended and so preserved, Mr. Hastings had armed against such a mother—he invaded the rights of that prince, that he might compel him to violate the laws of nature by plundering his parent ; and he made him a slave, that he might afterwards make him a monster. Mr. Hastings was bound to be the protector of the Begum, instead of her plunderer ; for her husband, on his death-bed, bequeathed her to his friendship ; and Mr. Hastings had always called that husband his brother—but no consideration could make him discharge the duties of any obligation that could set bounds to his rapacity.

In 1775 Mr. Bristow intervening between the Begum and the Nabob, in consequence of the claims of the latter, had then, in a conversation with the superior, or elder Begum, thrown out the insinuation, that the treasures

which she possessed were the treasures of the State ;— and on this insinuation, so termed by Mr. Bristow himself, had Mr. Hastings founded all his arguments on that head, and on which he lately appeared to place so much reliance. The Begums at that time gave up to Asoph ul Dowlah sums amounting to five hundred and fifty thousand pounds. Of this a part was to be paid in goods, which, as they consisted of arms, elephants, etc., the Nabob alleged to be his property, and refused to accept as payment. This occasioned a dispute, which was referred to the Board of Calcutta. Mr. Hastings then vindicated the right of the Begums to all the goods in the Zenana, and brought over the majority of the council to his opinion. The ideas then placed on record he had since found it convenient to disown, as belonging not to him, but to the majority of the council !

There are in this assemblage those who are perfect in their ideas of law and justice, and who understand tolerably well majorities and minorities ; but how shall I instance this new doctrine of Mr. Hastings ? It is as if Mr. Burke, the great leader of the cause, should some ten years hence revile the managers, and commend Mr. Hastings ! “ Good God ! ” might say one of those gentlemen, “ it was you who instigated the enquiry ; it was you who made me think as I did ! ” “ Aye, very true,” might Mr. Burke reply, “ but I was then in a minority : I am now in a majority ; I have left my opinions behind me ; and I am no longer responsible.”

The claims, however, it was observable, of the Nabob, as to the treasure of the Begums, were at this time the only plea alleged for the seizure. These were always founded

on a passage of that *Koran* which was perpetually quoted, but never proved. Not a word was then mentioned of the strange rebellion, which was afterwards conjured up, and of which the existence and the notoriety were equally a secret!—a disaffection which was at its height at the very time when the Begums were dispensing their liberality to the Nabob, and exercising the greatest generosity to the English officers in distress!—a disturbance, in short, without its parallel in history, which was raised by two women—carried on by two eunuchs—and finally suppressed by an affidavit! . . . But in June, 1781, . . . all the hoard and arrear of collected evil burst out without restraint, and Mr. Hastings determined on his journey to the upper provinces. It was then, that without adverting to intermediate transactions, he met with the Nabob, Asoph ul Dowlah, at Chunar, and received from him the mysterious present of £100,000. To form a proper idea of this transaction, it was only necessary to consider the respective situation of him who gave, and of him who received this present. It was not given by the Nabob from the surperflux of his wealth, nor in the abundance of his esteem for the man to whom it was given. It was, on the contrary, a prodigal bounty, drawn from a country depopulated—no matter whether by natural causes, or by the grinding of oppression. It was raised by an exaction which took what calamity had spared, and rapine overlooked;—and pursued those angry dispensations of providence, when a prophetic chastisement had been inflicted on a fated realm. The secrecy which had marked this transaction was not the smallest proof of its criminality. Neither Mr. Middleton



nor the council were acquainted with the transaction, until Mr. Hastings, four months after, felt himself compelled to write an account to England, and the intelligence returned thus circuitously to his friends in India ! It was peculiarly observable in this transaction, how much the distresses of the different parties were at variance. Mr. Hastings travels to the Nabob to see, no doubt, and enquire into *his* distresses, but immediately takes from him £100,000 to be applied to the necessities of the distressed East India Company ; but on farther deliberation, these considerations vanish ; a third object arises more worthy than either of the former, and the money is taken from the one, and demanded from the other, to be applied to the use of—the distressed Mr. Hastings.

The money, it was alleged by Mr. Hastings, had been originally taken to discharge the arrears of the army. It had not long been applied to that use, because it was received in bills on Gopal Dos, a rich banker at Benares, who was then kept a prisoner by Cheit Sing—Major Scott being questioned on the subject, declared the bills on Gopal Dos were as good as cash, for that though the principal of the house was a prisoner, that circumstance made no difference whatsoever with the other partners. Thus Mr. Hastings was inconsistent with himself, by alleging an objection which should have prevented his taking the money in the first instance, for the purpose he had stated ; and Major Scott contradicting Mr. Hastings, removed the objection and restored the business to its original footing. But through all those windings of mysterious hypocrisy, and of artificial concealment, it was easy to mark the sense of hidden guilt. Mr. Hastings

himself, being driven from every other hold, advanced the stale plea of state necessity. But of this necessity he has brought no proof ; it was a necessity which listened to whispers for the purpose of crimination, and dealt in rumour to prove its own existence. To a general leading the armies of Britain—to an admiral bearing her thunders over the seas, the plea of necessity might be indulged, if the wants of those were to be supplied whose blood had been spilt in the service of their country ; but his “ State necessity ” grand, magnanimous, and all commanding—went hand in hand with honour, if not with use—it went forth with our arms, when the hero could plume himself like the imperial eagle on his nest, unassailable !—and amidst his fair successes, look down in justified disdain on any malevolent challenge of minute error ; his fame as firm as the rock, which from his defence, all the enemy had battered in vain.

As for the treaty of Chunar, it was a proceeding which as it had its beginning in corruption, had its continuance in fraud, and its end in violence. The first proposition of the Nabob, after his recent liberality, was that the army should be removed, and all the English recalled from his dominions. The bribe which he had given was the obvious price of their removal. He felt the weight of their oppression :—He knew, to speak his own language, “that when the English stayed, they stayed to ask for something.” Though their predecessors had exhausted the revenue ;—though they had shaken the tree until nothing remained upon its leafless branches, yet a new flight was on the wing to watch the first buddings of its prosperity, and to nip every promise of future luxuriance.

## SPEECH ON SECOND OR BEGUM CHARGE— CONTINUED.

(June 6th, 1788.)

Having gone into the affidavits, which he declared grounded on vague rumour and improbable surmise, Mr. Sheridan passed to the "rebellion" of the Begums, of which he could find no trace.

The best antiquarian in our society would be, after all, never the wiser !—Let him look where he would, where can he find any vestige of battle, or a single blow ? In this rebellion there is no soldier, neither horse nor foot : not a man is known fighting ; no office-order survives, not an express is to be seen. This Great Rebellion, as notorious as our forty-five, passed away—unnatural, but not raging—beginning in nothing—and ending, no doubt, just as it began !

If rebellion, my Lords, can thus engender unseen, it is time for us to look about. What hitherto has been dramatic, may become historical ; Knightsbridge may at this moment be invested ; and all that is left us, nothing but the forlorn hope—of being dealt with according to the statute—by the sound of the Riot Act, and the sight, if it can be, of another Elijah !

Mr. Sheridan read the letter from the Begum to Mr. Hastings, complaining of the suspicions which had been so unjustly raised of her conduct and referring to Captain Gordon, who could testify her innocence. He read that of Captain Gordon thanking her for her interference and acknowledging that he owed his life to her bounty.

Here the plain and simple language of truth gave to the representations of the Begum an Herculean force—her complaints were eloquence ; her supplications per-

suasion, and her remonstrances conviction. It had been asked, with an air of some triumph, why Captain Gordon was not called to that bar? He had answered then as now, he would not call on a man who, in his affidavit, had suppressed all mention of this important transaction. He trusted that if ever he saw him at that bar, he should witness a contrite zeal to do away the effects of that silence, and behold a penitential tear for the part he had taken. He hoped, however, for the honour of human nature, that Captain Gordon was then under a delusion; and that he was led on by Mr. Middleton, who was well informed of the business, to act a part of which he did not know the consequences. Every feeling of humanity recoiled from the transaction taken in any other point of view. It was difficult to imagine that any man would say to a benefactor, "The breath that I now draw, next to heaven, I owe to you; my existence is an emanation from your bounty; I am indebted to you beyond all possibility of return, and, therefore, my gratitude shall be your destruction."

The original letters on this occasion from Colonel Hannay and Captain Gordon to the Begum had been transmitted by her, through Major Gilpin, to Mr. Middleton, for the purpose of being shown to Mr. Hastings; but the leaves were torn from Mr. Middleton's letter-book in the place where they should have appeared. When examined on this subject, he said, that he had deposited Persian copies of those letters in the office at Lucknow, but that he did not bring the translations with him to Calcutta, because he left Lucknow the very day after he had received the originals. It could be proved that



Middleton received those letters at least a month before he left Lucknow. He was, therefore, well aware of the purity of those in whose oppression he was engaged ; he knew that their attachment was fully proved, at the very time they were charged with disaffection ; but as their punishment was predetermined, he, in concert with his principal, found it necessary to suppress the testimonials of their innocence. But this mass of fraud and cruelty, covered as it had been by every art which the vile agents could devise was now bared to the view. You see how Truth—empowered by that will which gives a giant's nerve to an infant's arm—has burst the monstrous mass of fraud that has endeavoured to suppress it. It calls now to your lordships, in the weak but clear tone of that Cherub, Innocence, whose voice is more persuasive than eloquence, more convincing than argument, whose look is supplication, whose tone is conviction, it calls upon you for redress, it calls upon you for vengeance upon the oppressor, and points its heaven-directed hand to the detested, but unrepenting author of its wrongs !

Having dealt with this instance of a British soldier's gratitude, he reverts to the charge that the Begums stirred up the country to revolt, and in doing so paints a picture of the desolation of Oude which recalls the state of Ireland when the famine system of Sir Robert Peel was beginning to have effect.

Had a stranger at this time gone into the province of Oude ignorant of what had happened since the death of Shujah Dowlah—that man who, with a savage heart, had still great lines of character ; and who, with all his ferocity in war, had still, with a cultivating hand, preserved to his country the riches which it derived from benignant skies and a prolific soil ;—if this stranger, ignorant of all that

had happened in the short interval, and observing the wide and general devastation, and all the horrors of the scene—of plains unclothed and brown—of villages depopulated and in ruins—of temples unroofed and perishing—of reservoirs broken down and dry,—he would naturally ask. What war had thus laid waste the fertile fields of this once beautiful and opulent country?—What civil dissensions have happened, thus to tear asunder and separate the happy societies that once possessed those villages?—What disputed succession, what religious rage, has, with unholy violence, demolished those temples, and disturbed fervent, but unobtruding piety, in the exercise of its duties?—What merciless enemy has thus spread the horrors of fire and sword?—What severe visitation of Providence has dried up the fountain, and taken from the face of the earth every vestige of verdure?—Or, rather, what fabled monster has stalked abroad, and with malice and mortal enmity to man, has withered with the grip of death every growth of nature and humanity?

To such questions, what must be the answer? No wars have ravaged these lands, and depopulated these villages—no civil discords have been felt—no disputed succession—no religious rage, no merciless enemy—no affliction, which, while it scourged for the moment, cut off the sources of resuscitation—no voracious and poisoning monsters; no!—all this had been accomplished by the friendship, generosity, and kindness of the English nation. They have embraced us with their protecting arms and lo, we sink under the pressure of their support—we writhe under the grip of their pestiferous alliance!

Thus they suffered; in barren anguish and ineffectual

bewailings. And, O audacious fallacy ! says the defence of Mr. Hastings. What cause was there for any incidental ills, but their own resistance ?

What then ! Shall we be told that under such circumstances, the exasperated feelings of a whole people, thus goaded and spurred on to clamour and resistance, were excited by the poor and feeble influence of the Begums ? When we hear the description of the fever—paroxysm—delirium, into which despair had thrown the natives, when on the banks of the polluted Ganges, panting for death, they tore more widely open the lips of their gaping wounds to accelerate their dissolution ; and while their blood was issuing, presented their ghastly eyes to Heaven,—breathing their last and fervent prayer, that the dry earth might not be suffered to drink their blood, but that it might rise up to the throne of God, and rouse the eternal Providence to avenge the wrongs of their country :—Will it be said that this was brought about by the incantations of those Begums, in their secluded Zenana ? or that they could inspire this enthusiasm and this despair into the breasts of a people who felt no grievance, and had suffered no torture ? What motive, then, could have such influence in their bosom ? What motive ? That, which Nature—the common parent—plants in the bosom of man ; and which, though it may be less active in the Indian than in the Englishman, is still congenial with, and makes part of, his being. It grows with his growth, it strengthens with his strength—That feeling, which tells him, that man was never made to be the property of man ; but that when, through pride and insolence of power, one human creature dares to tyrannise



nize over another, it is a power usurped, and resistance is a duty—That feeling which tells him that all power is delegated for the good, not for the injury of the people ; and that when it is converted from the original purpose, the compact is broken, and the right is to be resumed—That principle which tells him, that resistance to power usurped is not merely a duty which he owes to himself and to his neighbour, but a duty which he owes to his God, in asserting and maintaining the rank which He gave him in the creation !—to that common God, Who, where He gives the form of man, whatever may be the complexion, gives also the feelings and the rights of man —That principle, which neither the rudeness of ignorance can stifle, nor the enervation of refinement extinguish—That principle which makes it base for a man to suffer, when he ought to act—which, tending to preserve to the species the original designations of Providence, spurns at the arrogant distinctions of man, and vindicates the independent quality of his race.

Mr. Sheridan then goes on to argue that the innocence of the Begums infers the guilt of Hastings, and points out the fact that from September, when the robbery was effected with circumstances of cruelty, until January following, the transaction had been concealed from the council in Calcutta, the delay being caused by the necessity of finding an excuse. He instances some of the false statements made, statements to which "the Oriental Grotius, Sir Elijah Impey," lent himself. Amidst the other artifices of concealment, was a letter from Colonel Hannay, dated October 17th, 1781, which could not have been written then, but must have been fabricated later, since it contained mention of facts which could not have been known to Hannay at the time. The British Providence,

The question would naturally occur to every person who had attended to those proceedings. Why Mr. Hastings had used all these efforts to veil the whole of this business in mystery ?—It was not strictly incumbent on



him to answer the question, yet he would reply that Mr. Hastings had obviously a bloody reason for the concealment. He had looked to the natural effect of strong injuries on the human mind : as in the case of Cheit Sing, he thought that oppression must beget resistance ; and the efforts which might be made by the Begums in their own defence, though really the effect, he was determined to represent as the cause of his proceedings.

. . . . In his letter to the directors, of January 5, 1782, he had represented the subsequent disturbances in Oude, as the positive cause of the violent measures which he had adopted—two months before these disturbances had existence ! He then congratulates his masters on the seizure of those treasures which by the law of Mahomet he assures them were the property of Asoph ul Dowlah. Thus the perturbed spirit of the Mahometan law, according to Mr. Hastings' idea, still hovered round those treasures, and envied them to every possessor, until it at length saw them safely lodged within the sanctuary of the British Treasury ! In the same spirit of piety, Mr. Hastings had assured the House of Commons that the inhabitants of Asia believed that some unseen power interfered, and conducted all his pursuits to their destined end. That Providence, however, which thus conducted the efforts of Mr. Hastings, was not the Providence to which others profess themselves indebted ;—which interferes in the cause of virtue, and insensibly leads guilt towards its punishment ; it was not, in fine, that Providence

“ Whose works are goodness, and whose ways are right.”

The unseen power which protected Mr. Hastings,

operated by leading others into criminality, which so far as it respected the Governor-General, was highly fortunate in its effects. If the Rajah Nunducumar brings a charge against Mr. Hastings, Providence so orders it that the Rajah has committed a forgery some years before ; which with some friendly assistance, proves a sufficient reason to remove out of the way so troublesome an acquaintance. If the Company's affairs are deranged through the want of money, Providence ordains it so that the Begums, though unconsciously, fall into a rebellion, and give Mr. Hastings an opportunity of seizing on their treasures ! Thus the success of Mr. Hastings depended not on any positive merit in himself ; it was to the inspired felonies, the heaven-born crimes, and the providential treasons of others that he was indebted for each success, and for the whole tenor of his prosperity !

It must undoubtedly bear a strange appearance, that a man of reputed ability should, even when acting wrongly, have had recourse to so many bungling artifices, and spread so thin a veil over his deceptions. But those who testified any surprise at this circumstance must have attended but little to the demeanour of Mr. Hastings. Through the whole course of his conduct he seemed to have adhered to one general rule—to keep as clear as possible of the fact which he was to relate ! Observing this maxim, his only study was to lay a foundation as fanciful and as ornamental as possible ;—then by a superadded mass of fallacies, the superstructure was soon complete, though by some radical defect it never failed to tumble on his own head ;—rising from these ruins, however, he was soon found rearing a similar edifice, but with a like effect

It had been a maxim once as much admitted in the practice of common life, as in the school of philosophy, that where Heaven was inclined to destroy the vicious, it began by debasing the intellect. This idea was carried still farther by the right honourable gentleman (Mr. Burke), who opened the prosecution ; who declared that prudence and vice were things absolutely incompatible ;—that the vicious man being deprived of his best energies, and curtailed in his proportion of understanding, was left with such a short-sighted degree of penetration as could not come under the denomination of prudence. This sentiment does honour to the name of my right honourable friend to whom I look up with homage !—whose genius is commensurate with his philanthropy—whose memory will stretch itself beyond the fleeting objects of any little partial shuffling, through the whole wide range of human knowledge, and honourable aspiration after human good ; as large as the system which forms life—as lasting as those objects that adorn.

But it was still to be remembered, that there were other characters besides a Cæsar and a Cromwell ; who, acting on determinations inimical to virtue, and hostile to the laws of society, had proceeded, if not with prudence, yet with an all-commanding sagacity, that was productive of similar effects. Those, however, were isolated characters, which left the vice that dared to follow either in a state of despondent vassalage, or involved it in destruction.

As to the claims on those ladies, whether first made by the Nabob, or suggested to him by his sovereign, Mr. Hastings, though the counsel had laboured much to prove the former, appeared to him to carry very little difference.



If the seizure was made as a confiscation and punishment for supposed guilt, then if ever a crime might be overlooked it was where a son must necessarily be made the instrument of an infliction, by which he broke his covenant of existence, and violated the condition by which he held his rank in society. If, on the contrary, it was meant as a resumption, in consequence of a supposed right in the Nabob, then Mr. Hastings should have recollected the guarantee of the Company granted to the Begums ; unless it was meant to be said, that Mr. Hastings acted in that as in other instances and assured them of his protection until the very moment when it was wanted. It was idle, however, to dwell on the conduct or free agency of a man who, it was notorious, had no will of his own. What Mr. Middleton asserted at that bar would scarcely be put in competition with a series of established facts ; by which it appeared that the Nabob had submitted to every indignity, and yielded to every assumption. It was an acknowledged fact, that he had even been brought to join in that paltry artifice which had been termed subornation of letters. This practice was carried to such a length, that he in the end complained, in a manner rather ludicrous, that he was really tired of sending different characters of Mr. Bristow, in pursuance of the directions sent by the resident. He had pronounced black white and white black so often, that he really knew not what to say ; and therefore begged that, once for all, the friends of Mr. Hastings might be considered as his, and that their enemies might also be the same.

Mr. Sheridan having spoken for four hours, appearing exhausted, the court adjourned.



SPEECH ON THE SECOND OR BEGUM CHARGE  
—CONCLUDED.

(June 13th, 1788.)

Most of the speech delivered on June 10th is occupied by an examination into the tortuous methods employed by Hastings and his accomplices. Mr. Sheridan having been taken ill, the court was adjourned.

Mr. Sheridan, on resuming, directed their lordships' attention to the correspondence of Hastings and Middleton, accessible through a quarrel between the parties, Hastings having been infuriated by the hesitation of Middleton when sent to resume the Jaghires in the hope of provoking a riot. It was noticeable that in those letters and in the more private ones of Impey, there was no hint of rebellion on the part of the Princesses. Middleton's ill-timed moderation was, of course, due to regard for his own skin. His fears show how far his fellow rogue had goaded the unfortunate prince.

"I am fully of opinion," he says, "that the despair, of the Nabob must impel him to violence; I know also that the violence must be fatal to himself; but yet I think that with his present feelings he will disregard all consequences." Mr. Johnson, the assistant resident, wrote at the same time to Mr. Hastings, to aver to him that the measure was dangerous, that it would require a total reform of the collection which could not be made without a campaign! This was British justice! This was British humanity! Mr. Hastings ensures to the allies of the Company, in the strongest terms, their prosperity and his protection; the former he secures by sending an army to plunder them of their wealth and to desolate their soil! His protection is fraught with a similar security; like that of a vulture to a lamb; grappling in its vitals! thirsting for its blood! scaring off each petty kite that hovers round; and then with an insulting perversion of

terms, calling sacrifice protection !—an object for which history seeks for any similarity in vain. The deep-searching annals of Tacitus ;—the luminous philosophy of Gibbon ;—all the records of man's transgressing, from original sin to the present period, dwindle into comparative insignificance of enormity ; both in aggravation of vile principles, and extent of their consequential ruin ! The victims of this oppression were confessedly destitute of all power to resist their oppressors ; but that debility, which from other bosoms, would have claimed some compassion, with respect to the mode of suffering, here excited but the ingenuity of torture !

Yet, when cruelty seemed to have reached its bounds, and guilt to have ascended to its climax, there was something in the character of Mr. Hastings, which seemed to transcend the latter, and overleap the former ; and of this kind was the letter to the Nabob which was despatched on this occasion. To rebuke Mr. Middleton for his moderation, as was instantly done, was easily performed through the medium of a public and private letter. But to write to the Nabob in such a manner that the command might be conveyed, and yet the letter afterwards shewn to the world, was a task of more difficulty ; but which it appeared by the event was admirably suited to the genius of Mr. Hastings. His letter was dated the 15th of February, 1782, though the Jaghires had been then actually seized ; and it was in proof that it had been sent at a much earlier period. He there assured the Nabob of his coincidence with his wishes respecting the resumption of the Jaghires ; he declares that if he found any difficulty in the measure he, Mr. Hastings, would go to his assistance

in person, and lend his aid to punish those who opposed it; "for that nothing could be more ardent than his friendship, or more eager than his zeal for his welfare." The most desperate intention was clothed in the mildest language. But the Nabob knew, by sad experience, the character with whom he had to deal, and, therefore, was not to be deceived; he saw the dagger glistening in the hand which was treacherously extended, as if to his assistance; and from that moment the last faint ray of nature expired in his bosom.

Though there were circumstances exasperating to the human heart, which felt the smallest remains of sensibility, yet it was necessary in idea, to review the whole from the time that this treachery was first conceived, to that when by a series of artifices the most execrable, it was brought to a completion. Mr. Hastings would there be seen standing aloof indeed, but not inactive in the war! He would be discovered in reviewing his agents, rebuking at one time the pale conscience of Mr. Middleton, and at another, relying on the stouter villainy of Hyder Beg Cawn. With all the calmness of veteran delinquency, his eye ranged through the busy prospect, piercing through the darkness of subordinate guilt, and arranging with congenial adroitness the tools of his crimes, and the instruments of his cruelty.

The feelings of the several parties at the time would be most properly judged of by their respective correspondence. When the Bow Begum, despairing of redress from the Nabob, addressed herself to Mr. Middleton, and reminded him of the guarantee which he had signed, she was instantly promised that the amount of her Jaghire



should be made good ; though Mr. Middleton said he could not interfere with the sovereign decision of the Nabob respecting the lands. The deluded and unfortunate woman “ thanked God that Mr. Middleton was at hand for her relief ” ; at the very instant when he was directing every effort to her destruction ; when he had actually written the orders which were to take the collection out of the hands of her agents ! Even when the Begum was undeceived—when she found that British faith was no protection,—when she found that she should leave the country, and prayed to the God of nations not to grant His peace to those who remained behind, still there was no charge of rebellion—no recrimination made to all her reproaches for the broken faith of the English ; nay, when stung to madness, she asked “ how long would be their reign ? ” no mention of her disaffection was brought forward ; the stress was therefore idle, which the counsel for the prisoner strove to lay on these expressions of an injured and enraged woman. When at last irritated beyond bearing, she denounced infamy on the heads of her oppressors, who was there who would not say that she spoke in a prophetic spirit, and that what she had then predicted, had not even to its last letter been accomplished ! But did Mr. Middleton, even to this violence, retort any particle of accusation ? No ; he sent a jocose reply, stating that he had received such a letter under her seal, but that from its contents he could not suspect it to come from her ; and hoping, therefore, that she might detect the forgery. Thus did he add to foul injuries, the vile aggravation of a brutal jest.

There was something connected with this transaction



so wretchedly horrible, and so vilely loathsome, as to excite the most contemptuous disgust. If it were not a part of my duty, it would be superfluous to speak of the sacredness of the ties which those aliens to feeling,—those apostates to humanity had thus divided. In such an assembly as that which I have the honour of addressing, there is not an eye but must dart reproof at this conduct ; not a heart but must anticipate its condemnation. Filial Piety ! It is the primal bond of society—it is that instinctive principle, which, panting for its proper good, soothes unbidden, every sense and sensibility of man !—it now quivers on every lip ! it now beams from every eye !—it is an emanation of that gratitude, which softening under the sense of recollected good, is eager to own the vast, countless debt it ne'er alas ! can pay, for so many long years of unceasing solitudes, honourable self-denials, life-preserving cares !—it is that part of our practice, where duty drops its awe !—where reverence refines into love !—it asks no aid of memory !—it needs not the deductions of reason !—pre-existing, paramount over all, whether law, or human rule, few arguments can increase and none can diminish it !—it is the sacrament of our nature !—not only the duty but the indulgence of man—it is his first great privilege—it is amongst his last most endearing delights !—it causes the bosom to glow with reverberated love !—it requites the visitations of nature, and returns the blessings that have been received ! it fires emotion into vital principle—it renders habituated instinct into a master passion—sways all the sweetest energies of man—hangs over each vicissitude of all that most pass away—aids the melancholy virtues in their

last sad tasks of life, to cheer the languors of decrepitude and age—explores the thought—elucidates the aching eye! and breathes sweet consolation even in the awful moment of dissolution.

The Jaghires being seized, the Begums were left without the smallest share of the pecuniary compensation promised by Mr. Middleton; and as, when tyranny and injustice take the field, they are always attended by their camp followers, paltry pilfering, and petty insult; so in this instance, the goods taken from them were sold at a mock sale at inferior value. Even gold and jewels, to use the language of the Begums, instantly lost their value when it was known that they came from them! Their ministers were therefore imprisoned to extort the deficiency which this fraud had occasioned; and those mean arts were employed to justify a continuance of cruelty. Yet, these again, were little to the frauds of Mr. Hastings. After extorting upwards of £600,000 he forbade Mr. Middleton to come to a conclusive settlement. He knew that the treasons of our allies in India had their origin solely in the wants of the Company. He could not, therefore, say, that the Begums were entirely innocent, until he had consulted the general record of crimes—the cash account at Calcutta! And this prudence of Mr. Hastings was fully justified by the event; for there was actually found a balance of twenty-six lacs more against the Begums, which £260,000 worth of treason had never been dreamed of before. “Talk not to us,” said the Governor-General, “of their guilt, or innocence, but as it suits the Company’s *credit*! We will not try them by the code of Justinian, nor the Institutes of Timur; we

will not judge them either by the British laws, or their local customs ! No ! We will try them by the multiplication table—we will find them guilty by the rule of three, and we will condemn them according to the sapient and profound institutes of—Cocker's Arithmetic.

Mr. Sheridan then alluded to the scruples of Middleton by whose order the Chief Eunuchs were imprisoned at Fyzabad. This man defended himself for his apparent clemency, and his delay in conducting the operations there by alleging that in the case of an ally acting against his own mother two days' delay was not excessive. "No further rigour than what I have exerted, could be used against females in this country," he writes, January 20, 1782. "Where force could be employed, it was not spared." When threats could effect nothing the ministers were removed from their prison in Fyzabad to the fortress of Chunargur.

There, where the British flag was flying, they were doomed to deeper dungeons, heavier chains, and severer punishments ;—there, where that flag was flying which was wont to cheer the depressed, and to elate the subdued heart of misery, those venerable but unfortunate men were fated to encounter something lower than perdition, and something blacker than despair ! It appeared from the evidence of Mr. Holt, they were both cruelly flogged, though one was about seventy years of age, to extort a confession of the buried wealth of the Begums ! Being charged with disaffection, they proclaimed their innocence. "Tell us where are the remaining treasures," was the reply—"it is only treachery to your immediate sovereigns—and you will then be fit associates for the representatives of British faith and British justice in India !"

Oh ! Faith. Oh, Justice ! I conjure you by your sacred names to depart for a moment from this place, though it be your peculiar residence ; nor hear your names profaned by such a sacrilegious combination, as



that which I am now compelled to repeat !—where all the fair forms of nature and art, truth and peace, policy and honour, shrunk back aghast from the destroying shade ! where, amidst the black agents on one side, and Middleton and Impey on the other, the great figure of the piece, characteristic in his place, stood aloof and independent from the puny profligacy in his train !—turning a malignant eye on all mischief that awaited him !—the multiplied apparatus of temporising expedients, and intimidating instruments, now cringing on his prey, and fawning on his vengeance ! Now quickening the limping pace of craft, and forcing every stand that retiring nature can make in the heart ! violating the attachments and decorums of life ! sacrificing every emotion of tenderness and honour ! and flagitiously levelling all the distinctions of national characteristics with a long catalogue of crimes and aggravations, beyond the reach of thought, for human malignity to perpetrate, or human vengeance to punish

It might have been hoped, for the honour of the human heart, that the Begums had been themselves exempted from a share in these sufferings ; and that they had been wounded only through the sides of their ministers. . . . . Their palace was surrounded by a guard, which was withdrawn by Major Gilpin, to avoid the growing resentments of the people, and replaced by Mr. Middleton, through his fears from that “dreadful responsibility” which was imposed on him by Mr. Hastings. The women of the Khord Mahal, who had not been involved in the Begums’ supposed crimes ; who had raised no sub-rebellion, and who, it was proved, lived in a distinct dwelling, were cause-



lessly involved in the same punishment ; their residence surrounded with guards, they were driven to despair by famine, and when they poured forth in sad procession, were driven back by the soldiery, and beaten with bludgeons to the scene of madness which they had quitted.

On the question whether Hastings was answerable for the crimes committed by his agent, he had actually written to arraign Middleton for forbearance and neglect :—

He would not allow even a delay of two days to smooth the compelled approaches of a son to his mother on such an occasion ! His orders were peremptory ; and if a massacre did not take place, it was the merit of accident, and not of Mr. Hastings. After this would it be said, that the prisoner was ignorant of the acts, or not culpable for their consequences ? It was true he had not enjoined in so many words the guards, the famine, and the bludgeons ; he had not weighed the fetters, nor numbered the lashes to be inflicted on his victims. But yet, he was equally guilty, as if he had borne an active and personal share in each transaction. It was as if he had commanded that the heart should be torn from the bosom, and yet had enjoined that no blood should follow.

Another defence set up by Hastings was that he was only one of the supreme council, and that the other members sanctioned these transactions. Of all his defences this was possibly the honestest, but the council professed to have been duped by a letter dated 29th November, intended to give the Directors of the Company the idea that they received at that time intelligence of the proceedings at Fyzabad of which they declared ignorance. The Directors, on looking over Hastings' report, ordered an inquiry into the alleged disaffection of the Begums. This inquiry was not made. It would, Mr. Hastings pointed out, only revive the animosities between the Nabob and the Begums. Of course if the ladies were inclined to appeal to a foreign jurisdiction, they were the best judges of their own feeling.

All this, however, was nothing to the magnificent paragraph which concluded this minute, and to which I request the attention of the court. "Besides, I hope it will not be a departure from official language to say, that the majesty of Justice ought not to be approached without solicitation."

But Justice is not this halt and miserable object ; it is not the ineffective bauble of an Indian Pagod ! it is not the portentous phantom of despair, it is not like any fabled monster, formed in the eclipse of reason, and found in some unhallowed grove of superstitious darkness and political dismay. No, my lords

In the happy reverse of all these, I turn from this disgusting caricature, to the *real image*—*Justice* ! I have now before me, august and pure, the abstract idea of all that would be perfect in the spirits and the aspirations of men ; where the mind rises ; where the heart expands ; where the countenance is ever placid and benign ; where her favourite attitude is—to stoop to the unfortunate ; to hear their cry, and to help them ; to rescue and relieve ; to succour and to save ! Majestic from its mercy ; venerable from its utility ; uplifted, without pride ; firm, without obduracy ; beneficent in each preference : lovely though in her frown !

On that *justice* I rely, deliberate and sure ; abstracted from all party purpose and political speculations ; not in words, but on facts ! You, my lords, who hear me, I conjure by those rights it is your best privilege to preserve ; by that fame it is your best pleasure to inherit ; by all those feelings which refer to the first term in the series of existence, the original compact of our nature, our con-

trolling rank in the creation ! This is the call on all to administer to truth and equity, as they would satisfy the laws and satisfy themselves, with the most exalted bliss possible or conceivable for our nature—the self-approving consciousness of virtue, when the condemnation we look for will be one of the most ample mercies accomplished for mankind since the creation of the World.

## PETER BURROWES, K.C. (1753-1841).

### THE KING VERSUS EDWARD SHERIDAN, M.D.

1811.

The case of Dr. Sheridan presents a certain resemblance to that of Hamilton Rowan. The Irish Catholics in order to render their frequent petitioning through the General Committee more effective, determined to elect a new one composed of members from the thirty-two counties, eight from each. Accordingly their secretary, Mr. Hay, circularised the Catholics of Ireland, asking them to appoint managers throughout the country for the purpose of forwarding petitions. The Castle took instant action, and the very "Convention Act," passed 1793, to which Curran alludes, was disinterred, so that the various meetings might be dispersed under pretext of being "unlawful assemblies," while a general letter was addressed to magistrates directing them to arrest persons found posting the committee's notices. To their honour, the magistracy, numbering eight thousand, ignored this arbitrary "act of power," some refusing to obey. The Committee realizing what was at stake, went on with its preparations, elected members and held meetings. As a result, the principal officers, amongst them Lord Fingall, were arrested and held to bail. The first trial, that of Dr. Sheridan, one of the delegates, came on in the Michaelmas term, 1811. The accustomed means of securing "safe verdicts" were resorted to, and the packing of the jury entrusted to the practised hands of Major Sirr; the Committee placed its defence in those of Peter Burrowes, the friend of Wolfe Tone, the advocate of Emmet. Like Curran, he faced all that intimidation could



bring to bear and achieved his greatest professional success in a verdict of acquittal, although Bushe and Saurin were arrayed against him. "His speech," says his biographer, Waldron Burrowes, "was probably one of the noblest efforts of skill, learning, and constitutional reasoning, that has ever been delivered at the Irish Bar," and Sir Arthur Pigott, Attorney-General for England describes it in similar terms.

The powerful arguments, the earnestness and eloquence of the orator may, conceivably, have had some weight with the packed jury, but it must be remembered that they were backed by the mighty menace of a French invasion which he uses so skilfully in the concluding passages.

My Lords, and Gentlemen of the Jury,—It is no commonplace exaggeration to assert, that the question upon which you are to decide is serious and interesting in the extreme, and claims your utmost attention. His Majesty's Attorney-General more than insinuates that the peace of the country, and the stability of its government, depend upon your verdict. In this I agree with the Attorney-General, and I add to the catalogue of things at hazard (what does not much appear to excite his sensibility) the invaluable right of petitioning. But I totally differ from His Majesty's Attorney-General as to the mode in which your verdict may affect these great concerns, for it is the firm conviction of my mind that if you shall, in the person of Mr. Sheridan, attain the Catholic body of Ireland of treasonable practices, all these great objects will be more than hazarded. I well know with what inferior weight of talents and influence I make this contrasted assertion ; but I feel, I confidently feel, that this inferiority, great and formidable as it is, is more than counter-balanced by the weight of the cause I advocate.

Before I enter upon that cause I must, I will, freely remark upon what occurred under every eye, and therefore under your own, while you were impannelling. I confess, gentlemen, I was astonished to find that no Roman Catholic was suffered to enter that box, when it is well known that they equal, if not exceed, Protestant jurors upon other occasions, and when the question relates to privileges of which they claim a participation, and you possess a monopoly. I was astonished to see twenty-two Protestant jurors, of the highest respectability, set aside by the arbitrary veto of the Crown, without any alleged insufficiency, upon the *sole demerit of suspected liberality*. I was astonished to find a juror pressed into the box, who did not deny that he was a sworn Orangeman; and another who was about to admit, until he was silenced, that he had prejudged the cause. Those occurrences, at the first aspect of them, filled me with unqualified despair. I do not say that the Crown lawyers have had any concern in this revolting process; but I will say, that they ought to have interfered in counteracting a selection, which has insulted some of the most loyal men in this city, and must disparage any verdict which may be thus procured. But, gentlemen, upon a nearer view of the subject, I relinquish the despair by which I was actuated; I rest my hopes upon your own integrity, your deep interest in the welfare of the country, and the very disgust which yourselves must feel at the manner and motive of your array. You did not press forward into that jury-box—you did not seek the exclusion, the total exclusion, of any Roman Catholic; you, no doubt, would anxiously desire an intermixture of some of those

enlightened Roman Catholics, whom the Attorney-General declared he was certain he could convince, but whom he has not ventured to address in that box. The painful responsibility cast upon you is not of your own seeking, and I persuade myself you will, upon due reflection, feel more indisposed to those who court and inflame your prejudices, and would involve you in an act of deep responsibility, without that fair intermixture of opposite feelings and interest, which, by inviting discussion, and balancing affections, would promise a moderate and respected decision, than toward me who openly attack those prejudices, and strive to arm your conscience against them. You know, as well as I do, that prejudice is a deadly enemy to fair investigation ; that it has neither eyes nor ears for justice ; that it hears and sees everything on one side only ; that to refute it is to exasperate it ; and that, when it predominates, accusation is received as evidence, and calumny produces conviction.

One claim I add to your justice, which you cannot, you will not refuse. Listen to the evidence and the arguments with patient attention, and read the indictment and the Act of Parliament upon which it is founded with the minutest care ; they will not, I presume, be withheld from you. Upon the law of the case, and the true construction of that Act, I shall now proceed to comment.

The Act, my Lords, is very short, and nothing is more easy than to extract a just and perfect definition of the crime it *declares*, and enacts to be a high misdemeanour ; that definition is “ representing the people, or any portion

of the people, under pretence of petitioning for, or otherwise procuring an alteration of matters established by law in Church or State." All persons who are in any way, or under any name, deputed to, or who assume *such a character*, are guilty under this Act ; and persons any way electing or appointing *such assemblies*, namely, assemblies assuming or exercising a right to *represent* the people, are also guilty. The great question, therefore, will arise upon the true meaning of the term *represent* in this Statute. Now I conceive that to *represent* any man, or body of men, both in common and legal parlance, means to fill his or their place, and to possess his or their power, to the exclusion of the body represented during the representation. The representative acts in his own name, and is invested with all the powers of the body represented ; he differs from an attorney, or a man deputed to do a particular act in a defined way ; the latter is a mere instrument acting under orders, and in the name of his principal. . . . If this meaning be adopted, it is not difficult to understand why to represent the people, or any portion of them, should be a crime at common law and declared to be such. It is evident that to give or to assume such a right would be to encroach upon the exclusive privileges of the House of Commons ; and no man can doubt, but that to assume the character, or exercise the functions of any department of the State, legislative, executive, or judicial, is, and always was, a high misdemeanour ; but it never yet was conceived, that to depute a man or number of men to perform a defined, preconceived, legal service, for and in the name of persons deputing, was an encroachment upon the rights



of Parliament, and more particularly when that very service was to propose a petition to that very Parliament. That the Legislature uses the word *represent*, in defining the crime, as I explain it, appears conclusively from this, that, knowing that the House of Commons must fall under the definition, they expressly except it: "Save and except the knights, citizens, and burgesses elected to serve in the Parliament thereof." So that from the legal and constitutional meaning of the word *represent*, from the excepting the House of Commons from the enactment, and from the legislative avowal that the evil to be guarded against was a pre-existing crime, it most clearly follows that the appointment of deputies *bona fide* to prepare a petition to Parliament and for no other purpose cannot be within the Act. I entreat those who assert the contrary to inform the public, whether every act of deputation for the purpose of communicating with the Parliament falls within the Act, or where they draw the line. The Attorney-General has not drawn any line; will he say, that to depute a few to prepare a petition, or materials for petition, is criminal? . . . . . Will it be criminal in the mercantile bodies of Dublin, Cork, Waterford and Belfast, should each appoint persons to confer upon the general business of trade, and to prepare a petition to Parliament upon the subject? The Attorney-General has not furnished any boundary or criterion; and if he succeeds in his construction of the law, no man can say where the spoliation of a great popular right (I am not ashamed to use the word, much as it has been abused) will stop.

But we are told that the magistrates are directed and

empowered by the law to disperse the assembly declared and enacted to be illegal ; and we are triumphantly asked, how can they ever act if false pretence, or encroachment upon parliamentary privileges, be the criterion of guilt ? How can they be supposed to know the false pretence or criminal pursuit ? I decline not this test of the meaning of the Statute, and I answer, that it is no great evil in the mind, at least of any man who is not a law officer, that great difficulty should obstruct the right of dispersing men who are acting peaceably, and who furnish no pretext for such dispersion, but suspected guilt, and imaginary evil result. If they commit any seditious act, or menace the public peace by riotous or disorderly conduct, the magistrate may disperse them. If they are associated as usurpers, in the slightest degree, of parliamentary right, he may also disperse them. In the latter case he must, and he ought to act at his peril ; and I hope I never shall live to see the day when the tranquillity of the country shall be secured by more extended powers. But has the Attorney-General illuminated the intellect of the magistracy upon this subject ? Has he defined for their practical guide, what species of delegates they may disperse, and when they should abstain ? Are they warranted to attack the Quakers' meeting ? Are they warranted to disperse the Presbyterian Synod in Ulster ? Are they warranted to violate the sanctuary of every deputed chamber of commerce in Ireland ? Can there be no conference upon subjects of common interest between persons widely separated, through the medium of agents or committee men without a previous licence from Government ?

• • • • • The Attorney-General has not explained

this, which I wish he may do ; I shall not consider it an interruption. What explanation the Solicitor-General may give, *when he shall have the last word, fearless of reply*, I cannot anticipate, but certain I am he cannot, in his way of construing the Act, ascertain the right and duty of magistrates without placing the most precious of our reserved civil rights under their feet.

Gentlemen of the jury, we are surfeited with visionary notions and republican declamation. We have lost our relish for the old, I hope not obsolete, principles of liberty so cherished by our ancestors. From the abuse of things of the highest worth we begin to forget their value. . Every important invasion of right has been founded upon an abuse of that right, and has succeeded through the apathy created by such abuse. Let us not fall into this vulgar error ; let us give to the Government and the people their legitimate rights, and not suffer either to transgress. Few are the rights reserved to the people, or which can be reserved, under a stable constitution. The Legislature must be sovereign. To ascribe to it actual omnipotence is nonsense and impiety, but to ascribe to it relative omnipotence is rational. No power can question or resist its acts, while it exists, but consistent with this acknowledged supremacy are the *reserved popular right of a free Press, and an unshackled right of petitioning* They are the great pedestals of our free and balanced Constitution ; impair either, and it totters ; withdraw either, and it falls, and crushes the people and their liberties. Do I say that these privileges are incapable of abuse, and should not be controlled in their exercise by law ? No, but I say that each should

be exercised without previous restraint. Let every man publish at his peril ; let no man dare to exercise any previous control over him ; but if he publishes a public or private libel let the law punish him. In the same way suffer nothing to impede the formation or presenting a petition ; but if, under the pretext of petitioning, men should assemble and violate the law, vindicate the violated law ; but do not, as His Majesty's Government boasts to have done, suffer the offenders to escape, but attack the privilege which has been abused. Much has been said about the Act of Charles II., in England, against tumultuous petitioning. This Act grew out of the licentiousness in the reign of Charles I., and, in my opinion, was intended to be repealed by the Bill of Rights. But does it not implicitly recognise and recommend petitioning through delegates ? Is not delegation the best remedy of tumultuous petitioning ? and will it be said that the people shall neither petition in numbers nor through delegates, who may collect and communicate their wishes ? This cannot be said by any honest statesman. It is always useful to know even the transient sentiment of the people, though it may not always be wise to adopt it. But there are, and ever will be, statesmen who wish to have it stopped ; who always claim popular approbation, but never will, if they can avoid it, suffer their pretensions to be brought to any test. There never was a state empyric, who forced a bitter potion down the throats of the people, who did not say he did so to gratify their craving appetite. To guard against such mockery and insult is amongst the uses of the right of petitioning. In short, *qui facit per alium facit per se*, and conversely,



every man, being answerable for the acts of others authorised by him, may depute others to do legal acts ; so may many men appoint one or more deputies for defined legal purposes ; so may many, having a common object, appoint deputies to confer with other deputies upon the same object ; without this, many salutary pursuits might be absolutely frustrated ; the concerns of agriculture, the concerns of trade, the concerns of charity, the concerns of religion, might be sacrificed. Neither can the exercise of this right depend upon the number or variety of the persons deputing or the persons deputed. Such circumstances might possibly, in some imaginable cases, be an ingredient to be left to a jury, with other evidence to satisfy them that the purpose avowed was a pretence, and that the real object was to *represent* the people or any portion of them not to petition Parliament, or to execute any defined preconceived object. But if men should be elected, or assume to represent the people, or any portion of them, for general purposes, and if petitioning should be found by a jury to be a mere pretext, or if such usurpation of the exclusive right of the House of Commons should, under any pretext, take place—then the assembly so elected, or usurping, would be an illegal assembly from their very constitution, independent of any Act, and guilty of a high misdemeanour of a treasonable nature, and liable to heavy punishment. This is enough for security, and not too much for freedom.

Having argued further on the exact meaning of the word “pretence,” the advocate passes to the origin of the Act.

What was the evil which, in 1793, induced the Attorney-General, and the Government of that day, to introduce

this bill? In stating it, I am vindicating the memory of that Attorney-General and of that Government from the misconstruction and the misapplication of the Act, by their successors of the present day. There existed, shortly previous to the enactment of that law, a body *representing* the whole province of Ulster in the illegal and dangerous sense which I have ascribed to the term. They sat at Dungannon; they acted and resolved in their own names as general representatives of that province. They abstained from no subject, legislative or executive. They did not confine themselves, or pretend to confine themselves, to any *defined preconceived* object. They did not pretend to seek even a subsequent adoption or ratification of the measures or the resolutions they adopted. Their avowed purpose was to destroy or new model all or most of the ancient and venerable departments of the State and Constitution. . . . In the name of God, can any man say there is any resemblance between an assembly such as I have described and a Catholic committee such as I acknowledge is now in existence, for the *sole bona fide* purpose of preparing a *petition for the subsequent* ratification and adoption of individuals of their body.

Counsel then read over the resolutions of the Ulster Convention, and proceeded to attack the main argument of the prosecution—that the Convention Act could apply to the Catholic Committee.

My Lords, . . . I shall refer you to contemporary evidence at once admissible, and to my understanding, conclusive upon the subject. I mean the Act of the 33rd of the King, the very Act from which the Attorney-General read the affecting detail of remaining Roman Catholic

restrictions. This Act, containing such liberal concessions to the Roman Catholic body, was passed in the same sessions with the Convention Act, and, perhaps, received the royal assent the very same day. It was the result of a petition framed by the Catholic Committee. . . . It was then deemed wise and constitutional to hold intercourse with men who understood and could truly communicate the sentiments and feeling of their community. "Whereas various Acts of Parliament have been passed, imposing on His Majesty's subjects, professing the Roman Catholic religion, many restraints and disabilities, and from the *peaceable and loyal demeanour* of His Majesty's Popish or Roman Catholic subjects, it is fit that such restraints and disabilities be discontinued." Now I ask is not this recital decisive evidence, that the legislature did not consider the Roman Catholic Convention, through whose mediation the very Act passed, an illegal and unconstitutional assembly? Or is it to be conceived, that they would pass an Act with such a recital, and immediately after denounce the body through whose mediation it was obtained?

Counsel, in reply to the Attorney-General, pointed out the utility of delegations as well as their necessity. When the Catholic body did not protest against persecution the Tories in the reign of Anne, and the Whigs in that of, George I. regarded them as mute of malice; when they did, bigots like Primate Boulter, were alarmed for the Protestant interest. "It never has been found an easy task for the oppressed to please his oppressor."

From the first formation of a Roman Catholic Committee to this day, it was either continued, or was called into existence, whenever any subject of discussion arose between that body and Government or Parliament. Every

relaxation of the law which was obtained is principally ascribable to their zeal, activity, and perseverance. The Attorney-General is well acquainted with the truth of the maxim, "*lex vigilantibus, non dormientibus, inservit*," and he may rest assured that the maxim is as true in politics as in law. . . .

I shall again refer you to that affecting catalogue of privations which the Attorney-General read with such visible involuntary public sensation ; and I shall tell you that that catalogue details but a small portion of privileges from which the Roman Catholic people are shut out. . . . For instance, no Roman Catholic, though he should possess half, or the whole Bank of Ireland stock, can be a director of the Bank of Ireland. These restrictions and exclusions meet the Roman Catholic in every quarter of Ireland, and affect his interests, and hurt his feelings, in a thousand ways not known to my honourable friend. But suppose it otherwise ; suppose the higher orders alone interested in the present Catholic question ; suppose the higher orders alone labour under disabilities ; can the Attorney-General know so little of human nature as not to feel that the lower orders will make common cause with the higher orders of their sect, even in matters of mere pride and speculation ? In my opinion, if the only difference between the Protestant and the Catholic were, that the latter should be prohibited from wearing lace upon their clothes, or having livery servants, this ridiculous and invidious distinction would be felt by the meanest peasant, and might, at some unlucky crisis produce the most disastrous consequences.

. . . . .



Gentlemen of the Jury, such things are not only possible, but certain ; and although Protestant liberality has made great advances in modern times, although rooted prejudices have been dislodged, although the Roman Catholic of this day has received, from the Protestant of this day, concessions calculated to obliterate, and which have almost obliterated all recollection of past animosities, all reflection of the barbarous and civil dissensions which disgraced our ancestors, and embittered their lives—although much has been done, much more remains to be done ; and, until that shall be done, we cannot feel the confidence of an united people ; the enemy will not feel the terror with which such a character will ever strike the invader. Instead, therefore, of impeding the object of this delegated Committee, it ought to be the anxious wish of every good Irishman, and every loyal subject, to give it full success ; to wipe away at once, at this most interesting moment, all restrictions and distinctions ; to invite our Roman Catholic brother to a full participation of every civil right, and to bind him by interest, gratitude, and affection, to unite with his heart and hand in defending our common rights, our common country, and our common Constitution. . . . .

In every well-constituted State, property and power are connected in all its departments, to separate them is to sow the seeds of disease and agitation. . . . Either property will clothe itself with power, or power will seize upon property. In a pure despotism, there is but one proprietor. So that, in fact, the Roman Catholics are seeking not only the grace, but the shield of property ; not only what would ornament, but what would secure

their acquisitions. Can it be just, can it be wise, at any time, or in any country, to disfranchise property and rank of their legitimate and constitutional fruits? Can it be wise or politic to permit the great bulk of a nation to accumulate property without bounds, and to acquire lands and interests in lands without limit, and to close the avenues of all the great honours and distinctions of the State against them? Ambition is a passion natural to man, and if great proprietors and their descendants be shut out from all legitimate gratification of that ineradicable appetite, they will be tempted to courses and pursuits equally dangerous to the community and themselves.

. . . Can the Roman Catholics of Ireland be taught to feel—is it possible, in fact, that they will feel that there is a fair legislative union between the nations? But will they not be effectually told by every man who wishes to inflame them,—will not their own feelings tell them—that Ireland is more than ever provincial?

After warning the court that what was really at stake was the privilege of petitioning, Counsel concluded:—

Gentlemen of the Jury, upon this inexhaustible subject I have left much unsaid; yet upon the grounds I have urged I shall now leave it to your decision, only again imploring you to read the charge which you are sworn to try, and to compare it with the evidence you have heard from the witnesses, and not with the calumnies which have been everywhere uttered. To find the traverser guilty, you must upon your oaths find in the very language of the indictment, the Catholic Committee intended to be appointed to be “a Committee of persons professing the Roman Catholic religion, to be thereafter held, and to

exercise a right and authority to *represent* the inhabitants of Ireland professing the Roman Catholic religion *under pretence* of preparing petitions to Parliament." You must, in fact, convict the Roman Catholic subjects of this realm of an offence approaching to high treason. You have no evidence to warrant this ; and you cannot have any rational wish to create or supply such evidence. The Catholic body of this day owe their Protestant brethren of this day great obligations. Believe me they are deeply sensible of the debt, and are not the less worthy to have that debt augmented, by the eagerness they display to be fully emancipated to be perfectly amalgamated with you in constitutional co-existence. No wise and good man would wish at any time to disappoint this laudable impulse. No man, not a maniac, would seek to disappoint it, at a moment when all that is dear to us is in such peril, that united enthusiastic efforts are necessary to common security. Gentlemen, your Roman Catholic brethren await a verdict, which is to pronounce upon their principles and pursuits, with agonizing anxiety. There is not a city, town, village or hamlet in Ireland, in which the result is not at this moment looked for with breathless expectation. It is looked for in England with little less anxiety. . . . It is looked for by the common enemy, with an anxious wish that the accusation may be true ; they must derive the highest gratification, and possibly the strongest motive to act, from a Protestant verdict against the Roman Catholic people. Gentlemen, pronounce a verdict of Not Guilty ; relieve your fellow-subjects and disappoint the common enemy. Do not, gentlemen, apprehend, that so gratifying a result would

be followed up by intemperate joy, or dangerous exultation. No bad feeling can mix with the pure delight which such an event would universally diffuse ; but if there were danger of excesses from unbounded joy, those Roman Catholic noblemen and gentlemen who are implicated in the charge will moderate the triumph, and guarantee the tranquillity of the country. The gallant Fingall will guarantee it. He stands before you to pledge his high character for the conduct of his brethren. You know you may trust him ; you know that in the hour of danger he lifted his sword equally against the rebels of all persuasions ; he despised false and perishable popularity ; he proved his title to be received as a supporter of the throne, and he would not sully that title, and he never has sullied it, by any seditious or intemperate act.

May the God of truth and justice subdue your prejudices, awaken your conscience, and enlighten your minds, to find that verdict which will tranquillise the country, unite the people, appal the enemy, and place these united islands in a state of such a proud defiance, that no enemy will dare to pollute our shores !

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### THE KING (AT THE SUIT OF BERRY) VERSUS ROBINSON, FOR BIGAMY

(1813.)

This case may be classed amongst the documents which illustrate the social life of Ireland at the beginning of the last century, the simple facts constituting one of those astounding romances which sometimes vivify the arid pages of legal



records. From the mystery of its illimitable folly one thing emerges luminous—the inexhaustible kindness of the Irish heart.

“The orator places the story and the scene before his hearers as if they witnessed the reality. . . . Livy’s beautiful story of the Roman Father is not superior to this speech, as an exquisite specimen of narrative pathos.” (*Memoir and Speeches of Peter Burrowes, K.C.*)

My Lords and Gentlemen of the Jury,—It falls to my lot, very much by me regretted, to state to you a case as pregnant with circumstances of human woe, as strongly appealing to the feelings of humanity, as ever appeared in a court of justice. The prisoner at the bar stands indicted for a crime too often committed and seldom prosecuted in this country—a crime which I think you will agree with me, stands pre-eminently high in the scale of offences—a crime at once preying upon the best interests of society, and annihilating the happiness of the individual who chances to be its victim. . . . .

On a luckless morning, in the month of July, 1810, the prisoner at the bar rapped at the door of Mr. Charles Berry, an eminent attorney resident on Arran Quay, in this city. He was admitted to a conference, and a long and fatal conference. Mr. Berry never had known him, never had seen him, never heard that such a man was in existence; his appearance was wretched and squalid to a degree of extremity, carrying the marks, the legible marks, of misfortune and affliction. His debilitated frame and haggard looks at once recommended him to the sympathy of Mr. Berry. This sympathy was kept alive and augmented by introductory letters which this man carried with him, and by a sad and instructive tale of

folly and misfortune, which was communicated to Mr. Berry in the most impressive manner by this forlorn stranger, and which was in many parts corroborated by letters from persons in whom Mr. Berry could confide. From these sources Mr. Berry was informed that he had once been high in fortune's favour ; that he was the favourite and adopted nephew of General Robinson, who died in the year 1793 ; that, whilst almost a boy, he was treated with the most lavish and improvident indulgence, placed under masters to be taught what are called accomplishments ; that he had been allowed for his expenditure £500 per annum ; that his uncle, on his death, bequeathed him so large a legacy as £100,000 vested in the English funds ; he of course concluded his wealth was inexhaustible, and he became as lavish and dissolute as the most prodigal man of the day ; he purchased into the cavalry ; and what with his credit and the unkind accommodations of friendly loans, he was in a short time, and whilst under age, enabled to waste £20,000 of his fortune ; that at length, in 1800 an unlucky wind wafted him to this country ; that he was quartered at Clonmel, in the county of Tipperary, in that year, and shortly after became acquainted with the family of Mr. Stoney of Arran Hill.

Gentlemen, when I am relating facts as to that family, I am telling you what he told Mr. Berry, for the truth of which I do not vouch. I would not hazard the doing so, for I know the origin from which the communication came. He told Mr. Berry that Mr. Stoney had advised him to quit the army ; that he did so ; that Mr. Stoney gave him a hospitable invitation to enjoy the pleasures

of the chase at his country mansion ; that he accepted the invitation, and was treated with kindness and hospitality ; that he enjoyed the sports of the field abroad, and the pleasures of the drawing-room at home ; that Mr. Stoney's eldest daughter was strongly recommended by her personal charms, and that Mr. Robinson, though still a minor, was not insensible to their influence, and that a mutual attachment was the consequence. He told Mr. Berry that Mr. Stoney encouraged his addresses ; that he did not throw any impediment in the way on the ground of his minority ; that he did not suggest any prudential recommendation to wait one year till he should arrive at age ; that, on the contrary, he suggested and supplied means of immediate marriage, and prepared the parties with accommodations for Scotland. On their way to Scotland, in Dublin, they stopped at the house of a professional gentleman who had been married to a daughter of Mr. Stoney. There it was managed that he should execute a most liberal marriage settlement, amounting to £20,000 ; and it was thought right also that Mr. Barry (Mr. Stoney's son-in-law) should retain a further sum of £4,000 for purposes not then defined. At this time it was that the prisoner got acquainted with Mr. Vigne, the jeweller. They then set off for Scotland, and arrived, as rapidly as could be expected from the nature of the mission, at Portpatrick. There the prisoner at the bar was married, in the presence of many witnesses, to Miss Ruth Stoney, by a clergyman of the Church of Scotland, in a place of public worship. Having been married, they remained in Portpatrick one or two days, and thence immediately repaired to London. His stay there was

not very long, but it was not an idle time ; it was no sluggish, no obscure, and inglorious period. On his arrival he hired a furnished house in the most fashionable part of the city. He hired a country villa, purchased four carriages and seven race horses, with an endless establishment of grooms, postilions, and outriders. He flourished at all places of public resort ; at Newmarket and at Epsom. He shot like a meteor across public observation. He dazzled for a week ; he was recollected for a month. Being sated with the glories of the sod, he was smitten with a passion to become a candidate for Parliament, and embarked in all the extravagance and bustle of a contested election. He heard of a vacancy in a borough where money recommended to distinction, and offered the senatorial dignity to the highest bidder. Thither he repaired with all the pomp and circumstance of a popular candidate. Though he did not succeed, he polled a prodigious number of free and independent voters at the price of £17,000 or £18,000. But, gentlemen, it is useless to dwell on the idle and puerile instances of his prodigal folly. You are aware this course could not long continue ; a man thus blazing with lavish dissipation in every direction must soon have burned out. At the close of two years he was without money, without credit. The man who shone with such splendour dared no longer to appear in the open day. Bailiffs were his principal visitors ; London become a solitude to him ; and he repaired to Ireland. The prudence of his father-in-law had enabled him to vest in a purchase in Ireland a sum of money, which produced about £900 a year. To this remnant of his property he repaired, and he took



up his habitation near his father-in-law. A man of his capacity for expense must have contracted debts in Ireland as well as England. After a few years of ignoble extravagance in Ireland, he became a prisoner in his own house ; it was besieged with bailiffs, and all the calamities of ruined fortune surrounded him. The man who had shone so brilliantly in the metropolis of the empire was at last unable to show his face in the smallest village in Ireland. He told Mr. Berry that a project was at last formed by his wife's family to preserve the income of the property which he had purchased for the maintenance of himself and family. It was suggested that his wife's pin-money was in arrear, and that an amicable bill should be filed by the trustee in order to raise it ; that a receiver would be put upon the estate, by which stratagem it would be protected from the creditors, and he would draw the rents for his own support. The bill was filed, he put in his answer, admitting all that was stated, and there was a decree. A receiver was put upon the lands, and, as he stated, the rents fell into the hands of Mr. Stoney. In order then to excite the humanity of Mr. Berry, he told him that the moment the rents were thus taken from him his father-in-law refused to furnish him with a penny. He told Mr. Berry that whilst in his career of prodigality, he had lent his father-in-law from £8,000 to £10,000, and he told him, as the winding up of his ingratitude, that the very moment the receiver was put upon his property, his wife and children—for he had, and still has, four children—deserted him, and went to his father-in-law's house. He attempted to follow them, but was repulsed. The exhausted prodigal would not be sheltered under the

roof of the man who had seized his last stake. His misery was now complete and without remedy ; he was abandoned by his dearest relations, banished from their society, their confidence and love ; the doors of his father's house were closed against him, and he was left a stranger in a strange land, bereft of his fortune, abandoned by his wife, shunned by his offspring, and left a prey to want and the impending horror of arrest and imprisonment.

Such was his pitiful tale to Mr. Berry, a tale against the effects of which he could not, he would not struggle. Mr. Berry at once took him under his protection, little thinking that the hand which he grappled in friendship would one day wound him where he was most vulnerable. His humanity was not chilled by suspicion ; he thought not of the artifice of the impostor, while he was stimulated to relieve the stranger ; and that relief was as bountiful as it was disinterested. How was he treated ? Mr. Berry, gentlemen, provided the prisoner at the bar with lodging, for the rent of which he became security ; in that lodging he supplied him, outcast as he was, with the necessities, with the comforts of life. He was labouring under a heavy bodily malady ; he procured him an apothecary, a physician, medicine and wine. It was necessary in the furtherance of his legal pursuits, to have frequent intercourse with Mr. Berry, and he constantly crept out in the darkness of the night to visit the family of his benefactor ; whenever relieved from the apprehensions of the bailiff, or by a casual relaxation from his disease, he came, pouring out the benedictions of a grateful heart to the house of his friend and benefactor. Whenever he came he was

received with open arms, and the most confiding hospitality.

Finally, he was received into Mr. Berry's house, and treated as one of the family, while the solicitor set about disentangling his affairs by getting bills filed in Chancery to obtain reversal of previous decrees and also to obtain account of the sums alleged to have been lent to Stoney and Barry.

Mr. Berry, at his own expense, filed all these bills, and the suits are still depending. During his residence in Mr. Berry's house, his wish to please was unceasing, and he manifested in every act and in every word, the animated gratitude by which he was actuated. Compassion grew into esteem in every part of Mr. Berry's family. . . . He had two daughters—the one a child, the other but a few years older, now in her sixteenth year of age. She, gentlemen, it is, who has become the hapless heroine of the sad story of this unfortunate family. She was in her person lovely, in her manners interesting, in female accomplishments eminently cultivated, in domestic virtues and filial duty pre-eminent. She had an ardent and elevated mind, a warm and affectionate heart. She was the delight of her parents at home, their pride abroad, the solace of their labours and their cares, and the anticipated hope and joy of their declining lives. The love of offspring, the most forcible of all our instincts, is even stronger towards the female than the male child. It is wise that it should be so, it is more wanted ; it is just that it should be so, it is more requited. There is no pillow on which the head of a parent, anguished by sickness or by sorrow, can so sweetly repose, as on the bosom of an affectionate daughter. Her attentions are unceasing. She is never utterly *foras-familiated*. The boy may

afford occasional comfort and pride to his family ; they may catch glory from his celebrity, and derive support from his acquisitions ; but he never can communicate the solid and unceasing comforts of life which are derived from the care and tender solicitude of the female child—she seems destined by Providence to be the perpetual solace and happiness of her parents. Even after her marriage her filial attentions are unimpaired ; she may give her hand and heart to her husband, but still she may share her cares and attention with her parents, without a pang of jealousy or distrust from him. He only looks on them as the assured pledges of the fidelity, and the unerring evidences of a good disposition. Mr. Berry ought, perhaps, to have guarded this treasure with more jealous suspicion ; perhaps he ought not to have suffered a man, acknowledging himself to have been sunk in the vortex of fashionable dissipation, to have had opportunities of converse with this young female ; but, gentlemen of the jury, it is easy to be wise after experience ; it is easy to suggest expedients to prevent evil after it has occurred. Is there a man of you could suspect that a married man, with four children, paralysed and forlorn, received under your hospitable roof, covered with benefits which would have kindled gratitude in the basest nature, could be guilty of meditating the infliction of such a fatal wound upon his benefactor ? . . . Look at him, gentlemen, at the bar of his country ! Is he an object likely to engender suspicion of such a crime ? You have heard the story of his shattered fortunes—could his wealth have been attractive ? What could Mr. Berry have dreaded from the intercourse of such a man, even if he were un-



married ? But, gentlemen, it has turned out that he had means of acquiring an ascendancy over a young female mind, which were unfortunately too prevailing ; he was a man of polished manners, and, though superficial, yet attractive endowments ; his understanding, though not sound, was not altogether uncultivated ; he had a taste for the *belles-lettres*, and was an adept in music and poetry, understood drawing, was conversant in the fashionable tales of the day, and possessed of all that little artillery of accomplishment which make a man agreeable, particularly in female society. Gentlemen, it sometimes happens that the same courses which vitiate the morals improve the manners, and that the surface appears the more polished from the corruption which it covers and conceals. In the month of December, 1810, he was ordered to Cheltenham. Mrs. Berry was at the time very ill, and she was prescribed also the Cheltenham waters.

Unable to accompany them, through pressure of business, Mr. Berry permitted Robinson to escort wife and daughter to the springs. With the consent of her father, the young lady accepted some trifling presents.

The party returned back to Ireland in the spring, and things remained on this footing until the fatal 18th November last. I shall trace him through the melancholy occurrences of that day. Through what artifice, through what fascination, through what suggestion, by what sophistry, by what allurements, he must have drugged the mind of this young female, it is impossible to say. It is a moral miracle ! It is out of the ordinary course of human agency. Yet so it happened, that on the eighteenth of November, he being at the time so worn down by illness that his life was in danger, with strength scarcely sufficient

to admit his being carried to the carriage in the arms of the servant, he induced this young lady to accompany him ; he told her parents that he was going to the hot baths, and would leave her at Mr. Vigne's to hear an eminent proficient, his (Vigne's) sister, play on the pianoforte, and begged Mr. Berry would indulge her with this musical gratification, as Miss Berry was considered a first-rate performer. It is impossible for me, gentlemen, to account for his influence over this young lady's mind ; it would be vanity in me to attempt to explain the cause ; however, he did induce her, accompanied by her sister, a child from ten to twelve years old, to go to Mr. Vigne's in Nassau Street, where the prisoner had provided a clergyman, of the name of Harris, who actually did celebrate the ceremony of marriage between them ; and having prevailed on her to become his wife in point of ceremony, he was carried back to his carriage, and afterwards, in Mr. Berry's servant's arms, to his own bed. I am happy, gentlemen, to say, that he did not, he could not, render his crime perfect and complete. It is really a curious riddle ; it surpasses anything I ever heard or read of ; and but for the melancholy and afflicting distress of her injured family, it would be a matter of novel and curious inquiry to discover how he should have sought and acquired that ascendancy over her mind. It could not be a gross and sensual passion ; a glance of your eye must refute the idea. What !—a sensual passion for a being such as you behold, drooping under the ravages of disease, and unable to walk to a carriage ! It could not be a mercenary attachment to the object of her father's charity ; it must have been some mental fascination. By what artifices

that unworthy man could influence the mind of a person ten times his superior in understanding is astonishing ; the means are incredible. Whether he told her of the sufferings of his youth, the ruin of his fortunes, the desertion by his wife and her ingratitude—whether his distresses excited her compassion, or whether he deluded her into the notion of his marriage being void—is quite inexplicable ; but so prevalent was his power over her mind, that she would not have disputed his authority, and probably she would have more cheerfully obeyed him, if he had commanded her to give her hand to any other man. The charitable public who will hear of this trial ought to carry in their minds this extenuation—the utter impossibility that anything sensual, or vain, or mercenary, could have actuated her mind to that strange and blind obedience. And when female criticism sits in judgment upon this hapless young lady, and is about to pronounce an austere and unfeeling judgment, I hope it will be recollected that their common and primæval parent fell under the fascination of a reptile. . . . .

Robinson was sentenced to seven years' transportation.

HENRY SHEARES (1753-1798).

JOHN SHEARES (1756-1798).

The story of the Sheares brothers is one of the saddest in the annals of '98. It is remarkable not only for the fraternal affection of the victims, but for the hideous treachery which compassed their ruin. Sons of a banker, member for Clonakilty, they inherited their father's liberal spirit, and after a visit to Paris, 1792, threw themselves heart and soul into the struggle for Irish independence. They both joined the United Irishmen, John becoming the ruling spirit of that organisation at the most critical period of its history. He fixed the 23rd May, 1798, as the date when the country should rise. Through the loyal exertions of a Captain Warnesford Armstrong, who played the part of betrayer and chief witness, they were arrested on the 21st, and kept in prison until June 12th, when they were brought to trial, Toler being created Attorney-General for the occasion. The proceedings were huddled through at break-neck pace. Curran defended in a speech which condemned Armstrong to eternal infamy as an atheist and a perjurer. His efforts were unavailing, and both brothers perished on the scaffold.

On the reassembling of the court to pass sentence, John Sheares spoke :—

My Lords,—I wish to offer a few words before sentence is pronounced, because there is a weight pressing on my heart much greater than that of the sentence which is to come from the court. There has been, my Lords, a weight pressing on my mind from the first moment I



heard the indictment read upon which I was tried ; but that weight has been more particularly pressing upon my heart when I found the accusation in the indictment enforced and supported upon the trial. That weight would be left insupportable if it were not for this opportunity of discharging it ; I shall feel it to be insupportable since a verdict of my country has stamped that evidence as well founded. Do not think, my Lords, that I am about to make a declaration against the verdict of the jury or the persons connected with the trial ; I am only about to call to your recollection a part of the charge at which my soul shudders, and if I had no opportunity of renouncing it before your Lordships and this auditory, no courage would be sufficient to support me. The accusation of which I speak, while I linger here yet a minute, is that of holding out to the people of Ireland a direction to give no quarter to the troops fighting for its defence ! My Lords, let me say this, that if there be any acquaintances in this crowded court—I do not say my intimate friends, but acquaintances—who do not know what I say is truth, I shall be reputed the wretch which I am not ; I say if any acquaintance of mine can believe that I could utter a recommendation of giving no quarter to a yielding and unoffending foe, it is not the death which I am about to suffer I deserve—no punishment could be adequate to such a crime. My Lords, I can not only acquit my soul of such an intention but I declare in the presence of that God before Whom I must shortly appear that the favourite doctrine of my heart was that no human being should suffer death but when absolute necessity required it. My Lords, I feel a consolation in making

this declaration, which nothing else could afford me, because it is not only a justification of myself, but where I am sealing my life with that breath which cannot be suspected of falsehood, what I say may make some impression upon the minds of men not holding the same doctrine. I declare to God I know no crime but assassination which can eclipse or equal that of which I am accused. I discern no shade of guilt between that and taking away the life of a foe by putting a bayonet to his heart when he is yielding and surrendering. I do request the Bench to believe that of me, I do request my country to believe that of me—I am sure God will think that of me. Now, my Lords, I have no favour to ask of the court ; my country has decided I am guilty and the law says I shall suffer—it sees that I am ready to suffer. But, my Lords, I have a favour to request of the court that does not relate to myself. My Lords, I have a brother whom I have even loved dearer than myself, but it is not from any affection for him alone that I am induced to make the request. He is a man, and therefore I would hope, prepared to die, if he stood as I do—though I do not stand unconnected ; but he stands more dearly connected. In short, my Lords, to spare your feelings and my own, I do not pray that I should not die, but that the husband, the father, the son—all comprised in one person—holding these relations dearer in life to him than any man I know—for such a man I do not pray a pardon, for that is not in the power of the court, but I pray a respite for such time as the court in its humanity and discretion shall think proper. You have heard, my Lords, that his private affairs require arrange-

ment. When I address myself to your Lordships, it is with a knowledge you will have of all the sons of our aged mother being gone. Two have perished in the service of the king—one very recently. I only request that disposing of me, with what swiftness either the public mind or justice requires, a respite may be given to my brother, that the family may acquire strength to bear it all. That is all I wish ; I shall remember it to my last breath, and I shall offer up my prayers for you to that Being Who has endowed us all with the sensibility to feel. That is all I ask. I have nothing more to say.

## THEOBALD WOLFE TONE (1763-1798).

### SPEECH BEFORE THE "COURT MARTIAL."

(November 10, 1798.)

Taken prisoner in the heroic fight off Lough Swilly, which the "Hoche" sustained for six hours against four English battleships, Wolfe Tone had hopes of passing as a French officer until a former fellow-student, named Hill, recognised, and obeying inherited instincts, betrayed him. He was illegally brought before a "court martial" in one of the Dublin barracks, and, of course, condemned to be hanged.

It will be remembered that Curran, with his accustomed intrepidity, insisted on the surrender of the gallant soldier to the civil powers. The surrender came too late, for, according to the generally received story, Wolfe Tone had already wounded himself seriously. He did not die on the scaffold. Like the proud sailor, Moreau, he cheated the mean malignity of the race which has never claimed greatness of soul amongst its virtues.

I mean not to give the court any useless trouble, and wish to spare them the idle task of examining witnesses. I admit all the facts alleged, and only request leave to read an address which I have prepared for this occasion.

Questioned; does he mean by this that he has acted traitorously against his Majesty?

Stripping this charge of the technicality of its terms, it means, I presume, by the word traitorously, that I have been found in arms against the soldiers of the King in



my native country. I admit this accusation in its most extended sense, and request again to explain to the court the reasons and motives of my conduct.

On the court signifying acquiescence—

Mr. President and Gentlemen of the Court Martial,—I mean not to give you the trouble of bringing judicial proof to convict me legally of having acted in hostility to the government of his Britannic Majesty in Ireland. I admit the fact. From my earliest youth I have regarded the connection between Great Britain and Ireland as the curse of the Irish nation, and felt convinced that, whilst it lasted this country could never be free nor happy. My mind has been confirmed in this opinion by the experience of every succeeding year, and the conclusions which I have drawn from every fact before my eyes. In consequence, I was determined to employ all the powers which my individual efforts could move, in order to separate the two countries. That Ireland was not able of herself to throw off the yoke, I knew ; I therefore sought for aid wherever it was to be found. In honourable poverty I rejected offers which, to a man in my circumstances, might be considered highly advantageous. I remained faithful to what I thought the cause of my country, and sought in the French Republic an ally to rescue three millions of my countrymen—

After some interruption from the court on the ground of irrelevancy :—

I believe there is nothing in what remains for me to say which can give any offence ; I mean to express my feelings and gratitude towards the Catholic body, in whose cause I was engaged. I have laboured to create a people

in Ireland by raising three millions of my countrymen to the rank of citizens. I have laboured to abolish the infernal spirit of religious persecution, by uniting the Catholics and Dissenters. To the former I owe more than ever can be repaid. The services I was so fortunate as to render them they rewarded munificently ; but they did more : when the public cry was raised against me—when the friends of my youth swarmed off and left me alone—the Catholics did not desert me ; they had the virtue even to sacrifice their own interests to a rigid principle of honour ; they refused, though strongly urged, to disgrace a man who, whatever his conduct towards the Government might have been, had faithfully and conscientiously discharged his duty towards them ; and in so doing, though it was in my own case, I will say they showed an instance of public virtue of which I know not whether there exists another example.

After further interruption—

I shall, then, confine myself to some points relative to my connection with the French army. Attached to no party in the French Republic—without interest, without money, without intrigue—the openness and integrity of my views raised me to a high and confidential rank in its armies. I obtained the confidence of the Executive Directory, the approbation of my generals, and I will venture to add, the esteem and affection of my brave comrades. When I review these circumstances, I feel a secret and internal consolation which no reverse of fortune, no sentence in the power of this court to inflict, can deprive me of, or weaken in any degree. Under the flag of the

French Republic. I originally engaged with a view to save and liberate my own country. For that purpose I have encountered the chances of war amongst strangers ; for that purpose I repeatedly braved the terrors of the ocean, covered, as I knew it to be, with the triumphant fleets of that power which it was my glory and my duty to oppose. I have sacrificed all my views in life ; I have courted poverty ; I have left a beloved wife unprotected, and children whom I adored, fatherless. After such a sacrifice, in a cause which I have always considered—conscientiously considered—as the cause of justice and freedom, it is no great effort at this day, to add the sacrifice of my life. But I hear it said that this unfortunate country has been a prey to all sorts of horrors. I sincerely lament it. I beg, however, it may be remembered that I have been absent four years from Ireland. To me these sufferings can never be attributed. I designed by fair and open war to procure the separation of the two countries. For open war I was prepared, but instead of that a system of private assassination has taken place. I repeat, whilst I deplore it, that it is not chargeable on me. Atrocities, it seems, have been committed on both sides. I do not less deplore them. I detest them from my heart ; and to those who know my character and sentiments I may safely appeal for the truth of this assertion ; with them I need no justification. In a case like this success is everything. Success, in the eyes of the vulgar, fixes its merits. Washington succeeded, and Kosciusko failed. After a combat nobly sustained—a combat which would have excited the respect and sympathy of a generous enemy—my fate has been to become a prisoner

to the eternal disgrace of those who gave the orders. I was brought here in irons like a felon. I mention this for the sake of others ; for me, I am indifferent to it. I am aware of the fate which awaits me, and scorn equally the tone of complaint and that of supplication. As to the connection between this country and Great Britain, I repeat it—all that has been imputed to me (words, writings, and actions), I here deliberately avow. I have spoken and acted with reflection and on principle, and am ready to meet the consequences. Whatever be the sentence of the court I am prepared for it. Its members will surely discharge their duty—I shall take care not to be wanting in mine.

The court having asked if he wished to make further observations—

I wish to offer a few words relative to one single point—the mode of punishment. In France our *émigrés*, who stand nearly in the same situation in which I now stand before you, are condemned to be shot. I ask that the court shall adjudge me the death of a soldier, and let me be shot by a platoon of grenadiers. I request this indulgence rather in consideration of the uniform I wear—the uniform of a Chef de Brigade in the French army—than from any personal regard to myself. In order to evince my claim to this favour, I beg that the court may take the trouble to peruse my commission and letters of service in the French army. It will appear from these papers that I have not received them as a mask to cover me, but that I have been long and *bona fide* an officer in the French service.

The "Judge Advocate" pointed out that such letters would be incriminatory.



Oh, I know they will. I have already admitted the facts, and I now admit the papers as full proof of conviction.

(The papers consisted of a brevet of Chef de Brigade from the Directory signed by the Minister of War, a passport and a letter of service granting rank of Adjutant-General.)

General Loftus—In these papers you are designated as serving in the army of England.

I did serve in that army, when it was commanded by Buonaparte, by Dessaix, and by Kilmaine, who is, as I am, an Irishman ; but I have also served elsewhere.

The court asked if he had anything further to say.

He said that nothing more occurred to him, except that the sooner his Excellency's approbation of the sentence was obtained the better.

WILLIAM CONYNGHAM PLUNKET  
(AFTERWARDS LORD PLUNKET)  
(1764-1854.)

1800.—INCOMPETENCE OF IRISH PARLIAMENT  
TO PASS THE UNION

This is the great "Hamilcar" speech. The standard of action proved too high for personal use.

Sir, the noble lord has shown much surprise that he should hear a doubt expressed concerning the competence of Parliament to do this act. I am sorry that I also must contribute to increase the surprise of the noble lord. If I mistake not, his surprise will be much augmented before this question shall be disposed of ; he shall see and hear what he has never before seen or heard, and be made acquainted with sentiments to which, probably, his heart has been a stranger.

Sir, I, in the most express terms, deny the competency of Parliament to do this act. I warn you, do not dare to lay your hands on the Constitution. I tell you, that if, circumstanced as you are, you pass this Act, it will be a nullity, and that no man in Ireland will be bound to obey it. I make the assertion deliberately, I repeat it, and I call on any man who hears me to take down my

words. You have not been elected for this purpose. You are appointed to make laws, and not legislatures. You are appointed to act under the Constitution, not to alter it. You are appointed to exercise the functions of legislators, and not to transfer them. And if you do so, your act is a dissolution of the Government. You resolve society into its original elements, and no man in the land is bound to obey you.

Sir, I state doctrines which are not merely founded on the immutable laws of justice and of truth. I state not merely the opinions of the ablest men who have written on the science of government, but I state the practice of our Constitution as settled at the era of the revolution, and I state the doctrines under which the House of Hanover derives its title to the throne. Has the King a right to transfer his Crown? Is he competent to annex it to the Crown of Spain or any other country? No, but he may abdicate it, and every man who knows the Constitution knows the consequence—the right reverts to the next in succession, if they all abdicate, it reverts to the people. The man who questions this doctrine, in the same breath must arraign the Sovereign on the throne as an usurper. Are you competent to transfer your legislative rights to the French Council of five hundred? Are you competent to transfer them to the British Parliament? I answer, No. When you transfer you abdicate, and the great original trust reverts to the people from whom it issued. Yourselves you may extinguish, but Parliament you cannot extinguish. It is enthroned in the hearts of the people. It is enshrined in the sanctuary of the Constitution. It is immortal as the island which it protects. As well might

the frantic suicide hope that the act which destroys his miserable body should extinguish his eternal soul. Again, I therefore warn you, do not dare to lay your hands on the Constitution ; it is above your power.

Sir, I do not say that Parliament and the people, by mutual consent and co-operation, may not change the form of the Constitution. Whenever such a case arises it must be decided on its own merits—but that is not this case. If the Government considers this a season peculiarly fitted for experiments on the Constitution, they may call on the people. I ask you are you ready to do so ? Are you ready to abide the event of such an appeal ? What is it you must, in that event, submit to the people ? Not this particular project ; for if you dissolve the present form of government, they become free to choose any other—you fling them to the fury of the tempest—you must call on them to unhouse themselves of the established Constitution, and to fashion to themselves another. I again ask, is this the time for an experiment of this nature ? Thank God, the people have manifested no such wish ; so far as they have spoken, their voice is decidedly against this daring innovation. You know that no voice has been uttered in its favour, and you cannot be infatuated enough to take confidence from the silence which prevails in some parts of the Kingdom. If you know how to appreciate that silence, it is more formidable than the most clamorous opposition—you may be rived and shivered by the lightning before you hear the peal of the thunder.

But, Sir, we are told that we should discuss this question with calmness and composure. I am called on to surrender my birthright and my honour, and I am told I should



be calm and should be composed. National pride ! Independence of our country ! These, we are told by the Minister, are only vulgar topics fitted for the meridian of the mob, but unworthy to be mentioned to such an enlightened assembly as this ; they are trinkets and gew-gaws fit to catch the fancy of childish and unthinking people like you, Sir, or like your predecessor in that chair, but utterly unworthy the consideration of this house, or of the matured understanding of the noble lord who condescends to instruct it. Gracious God ! We see a Pery re-ascending from the tomb, and raising his awful voice to warn us against the surrender of our freedom, and we see that the proud and virtuous feelings which warmed the breast of that aged and venerable man are only calculated to excite the contempt of this young philosopher, who has been transplanted from the nursery to the Cabinet to outrage the feelings and understanding of the country. . . . .

Yes, Sir, I thank administration for this measure. They are, without intending it, putting an end to our dissensions—through this black cloud which they have collected over us, I see the light breaking in upon this unfortunate country. They have composed our dissensions—not by fomenting the embers of a lingering and subdued rebellion—not by hallooing—the Protestant against the Catholic and the Catholic against Protestant—not by committing the north against the south—not by inconsistent appeals to local or to party prejudices ; no, but by the avowal of this atrocious conspiracy against the liberties of Ireland, they have subdued every petty and subordinate distinction. They have united every

rank and description of men by the pressure of this grand and momentous subject; and I tell them that they will see every honest and independent man in Ireland rally round her Constitution, and merge every other consideration in his opposition to this ungenerous and odious measure. For my own part, I will resist it to the last gasp of my existence and with the last drop of my blood, and when I feel the hour of my dissolution approaching, I will, like the father of Hannibal, take my children to the altar and swear them to eternal hostility against the invaders of their country's freedom.

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## THOMAS GOOLD (1766-1846).

A meeting of the Irish Bar was called, December 9th, 1799, at the Exhibition Room, William Street, to discuss the Union project, and rejected it by a majority of 134. Amongst the speakers was a brilliant Cork barrister, Thomas Goold, K.C., author of a pamphlet in defence of Burke's "Reflections on the Revolution in France," and an address against the Union, to which he was consistently opposed. His speech aroused the same enthusiasm that greeted Hussey Burgh's several years before. The following extract is marked by a clearness of insight and an energy of diction too rare in subsequent times.

There are 40,000 British troops in Ireland, and with 40,000 bayonets at my breast, the minister shall not plant another Sicily in the bosom of the Atlantic. I want not the assistance of divine inspiration to foretell, for I am enabled by the visible and unerring demonstrations of nature to assert, that Ireland was destined to be a free and independent nation. Our patent to be a state, not a shire, comes direct from heaven. The Almighty has in majestic characters, signed the great charter of our independence. The great Creator of the world has given our beloved country the gigantic outlines of a kingdom. The God of nature never intended that Ireland should be a province, and by God she never shall.

## DANIEL O'CONNELL (1775-1847).

### 1814.—THE POLITICAL OUTLOOK.

In this able oration the great Tribune reiterates his advice concerning the advantages of petitioning. It is noticeable that he offers England Ireland's help—unconditionally—in return for concessions. This type of political morality is not peculiar to O'Connell, nor unknown at the present day. It is saying, in effect, to England, "We have declared you to be a liar, a hypocrite, and a thief, but give us what we want, and we will aid you in your designs against others."

As long as truth or justice could be supposed to influence man ; as long as man was admitted to be under the control of reason ; so long must it be prudent and wise to procure discussions on the sufferings and the rights of the people of Ireland. Truth proclaimed the treacherous iniquity which had deprived us of our chartered liberty ; truth destroyed the flimsy pretext under which this iniquity is continued ; truth exposed our merits and our sufferings ; whilst reason and justice combined to demonstrate our right—the right of every human being to freedom of conscience—a right without which every honest man must feel that to him, individually, the protection of Government is a mockery, and the restriction of penal law a sacrilege.

Truth, reason, and justice are our advocates ; and



even in England, let me tell you, that those powerful advocates have some authority. They are, it is true, more frequently resisted there than in most other countries ; but yet they have some sway among the English at all times. Passion may confound, and prejudice darken the English understanding ; and interested passion and hired prejudice have been successfully employed against us at former periods ; but the present season appears singularly well calculated to aid the progress of our cause, and to advance the attainment of our important objects.

Yes, everything, except false friendship and domestic treachery, forebodes success. The cause of man is in its great advance. Humanity has been rescued from much of its thralldom. In the states of Europe, where the iron despotism of the feudal system so long classed men into two species, the hereditary masters and the perpetual slaves ; when rank supplied the place of merit, and to be humbly born operated as a perpetual exclusion ; in many parts of Europe man is reassuming his natural station, and artificial distinctions have vanished before the force of truth, and the necessities of governors.

France has a representative government ; and, as the unjust privileges of the clergy and nobility are abolished ; as she is blessed with a most wise, clear, and simple code of laws ; as she is almost free from debt, and emancipated from odious prejudices, she is likely to prove an example and a light to the world.

In Germany the sovereigns who formerly ruled at their free will and caprice, are actually bribing the people to the support of their thrones, by giving them the blessings of

liberty. It is a wise and a glorious policy. The Prince Regent has emancipated his Catholic subjects of Hanover, and traced for them the grand outlines of a free constitution. The other states of Germany are rapidly following the example. The people, no longer destined to bear the burdens only of society, are called up to take their share in the management of their own concerns, and in the sustentation of the public dignity and happiness. In short, representative government, the only rational and just government, is proclaimed by princes as a boon to their people, and Germany is about to afford many an example of the advantages of rational liberty. Anxious as some kings appear to be in the great work of plunder and robbery, others of them are now the first heralds of freedom.

It is a moment of glorious triumph to humanity; and even one instance of liberality freely conceded, makes compensation for a thousand repetitions of the ordinary crimes of military monarchs. The crime is followed by its own punishment; but the great principle of the rights of man establishes itself now on the broadest basis, and France and Germany now set forth an example for England to imitate.

Italy, too, is in the paroxysms of the fever of independence. Oh, may she have strength to go through the disease, and may she rise like a giant refreshed with wine! One thing is certain, that the human mind is set afloat in Italy. The flame of freedom burns; it may be smothered for a season; but all the whiskered Croats and the fierce Pandours of Austria will not be able to extinguish the sacred fire. Spain to be sure, chills the

heart, and disgusts the understanding. The combined Inquisition and the Court press upon the mind, whilst they bind the body in fetters of adamant. But this despotism is, thank God, as unrelentingly absurd as it is cruel, and there arises a darling hope out of the very excess of the evil. The Spaniards must be walking corpses, they must be living ghosts, and not human beings, unless a sublime reaction be in rapid preparation. But let us turn to our own prospects.

The cause of liberty has made, and is making, great progress in states heretofore despotic. In all the countries in Europe, in which any portion of freedom prevails, the liberty of conscience is complete. England alone, of all the states pretending to be free, leaves shackles upon the human mind; England alone, amongst free states, exhibits the absurd claim of regulating belief by law, and forcing opinion by statute. Is it possible to conceive that this gross, this glaring, this iniquitous absurdity can continue? Is it possible, too, to conceive that it can continue to operate, not against a small and powerless sect, but against the millions, comprising the best strength, the most affluent energy of the empire?—a strength and an energy daily increasing, and hourly appreciating their own importance. The present system, disavowed by liberalised Europe, disclaimed by sound reason, abhorred by genuine religion, must soon and for ever be abolished.

Let it not be said that the princes of the Continent were forced by necessity to give privileges to their subjects, and that England has escaped from a similar fate. I admit that the necessity of procuring the support of the



people was the mainspring of royal patriotism on the Continent ; but I totally deny that the ministers of England can dispense with a similar support. The burdens of the war are permanent ; the distresses occasioned by the peace are pressing ; the financial system tottering, and to be supported in profound peace only by a war taxation. In the meantime, the resources of corruption are mightily diminished. Ministerial influence is necessarily diminished by one-half of the effective force of indirect bribery ; full two-thirds must be disbanded. Peculation and corruption must be put upon half-pay, and no allowances. The ministry lose not only all those active partisans ; those outrageous loyalists, who fattened on the public plunder during the seasons of immense expenditure ; but those very men will themselves swell the ranks of the malcontents, and probably be the most violent in their opposition. They have no sweet consciousness to reward them in their present privations ; and therefore they are likely to exhaust the bitterness of their souls on their late employers. Every cause conspires to render this the period in which the Ministry should have least inclination, least interest, least power, to oppose the restoration of our rights and liberties.

I speak not from mere theory. There exist at this moment practical illustrations of the truth of my assertions. Instances have occurred which demonstrate, as well the inability of the Ministry to resist the popular voice, as the utility of re-echoing that voice, until it is heard and understood in all its strength and force. The ministers had determined to continue the property tax ; they announced that determination



to their partisans at Liverpool and in Bristol. Well, the people of England met; they petitioned; they repeated, they reiterated their petitions, until the ministry felt they could no longer resist; and they ungraciously, but totally, abandoned their determination; and the property tax now expires.

Another instance is also now before us. It relates to the Corn Laws. The success of the repetition of petitions in that instance is the more remarkable, because such success has been obtained in defiance of the first principles of political economy, and in violation of the plainest rules of political justice.

This is not the place to discuss the merits of the Corn Laws, but I cannot avoid, as the subject lies in my way, to put upon public record my conviction of the inutility as well as the impropriety of the proposed measure respecting those laws. I expect that it will be believed in Ireland that I would not volunteer thus an opposition of sentiment to any measure, if I was not most disinterestedly, and in my conscience, convinced that such a measure would not be of any substantial or permanent utility to Ireland.

As far as I am personally concerned, my interest plainly is to keep up the price of lands; but I am quite convinced that the measure in question will have an effect permanently and fatally injurious to Ireland. The clamour respecting the Corn Laws has been fomented by parsons who were afraid that they would not get money enough for their tithes, and absentee landlords, who apprehend a diminution of their rack rents; and if you observed the names of those who have taken an active

part in favour of the measure, you will find amongst them many, if not all, the persons who have most distinguished themselves against the liberty and religion of the people. There have been, I know, many good men misled, and many clever men deceived, on this subject ; but the great majority are of the class of oppressors.

There was formed some time ago an association of a singular nature in Dublin and the adjacent counties. Mr. Luke White was, as I remember, at the head of it. It contained some of our stoutest and most stubborn seceders ; it published the causes of its institution ; it recited that, whereas butchers' meat was dearer in Cork, and in Limerick, and in Belfast than in Dublin, it was therefore expedient to associate, in order that the people of Dublin should not eat meat too cheap. Large sums were subscribed to carry the patriotic design into effect ; but public indignation broke up the ostensible confederacy ; it was too plain and too glaring to bear public inspection. The indignant sense of the people of Dublin forced them to dissolve their open association ; and if the present enormous increase of the price of meat in Dublin beyond the rest of Ireland be the result of secret combination of any individuals, there is at least this comfort, that they do not presume to beard the public with the open avowal of their design to increase the difficulties of the poor in procuring food.

Such a scheme as that, with respect to meat in Dublin—such a scheme, precisely, is the sought-for Corn Law. The only difference consists in the extent of the operation of both plans. The corn plan is not only more extensive, not only more unjust in principle, but it is more unreasonable

in its operation, because its necessary tendency must be to destroy that very market of which it seeks the exclusive possession. The Corn Law men want, they say, to have the exclusive feeding of the manufacturers ; but at present our manufacturers, loaded as they are with taxation, are scarcely able to meet the goods of foreigners in the markets of the world. The English are already undersold in foreign markets ; but, if to this dearness produced by taxation, there shall be added the dearness produced by dear food, is it not plain that it will be impossible to enter into a competition with foreign manufacturers, who have no taxes and cheap bread ? Thus the Corn Laws will destroy our manufactures, and compel our manufacturers to emigrate, in spite of penalties ; and the Corn Law supporters will have injured themselves and destroyed others.

The great advantages of discussion being thus apparent, the efficacy of repeating, and repeating, and repeating again our petitions being thus demonstrated by notorious facts, the Catholics of Ireland must be sunk in criminal apathy, if they neglect the use of an instrument so efficacious for their emancipation.

There is further encouragement at this particular crisis. Dissension has ceased in the Catholic body. Those who paralysed our efforts, and gave our conduct the appearance and reality of weakness, and wavering, and inconsistency, have all retired. Those who were ready to place the entire of the Catholic feeling and dignity, and some of the Catholic religion too, under the feet of every man who pleased to call himself our friend, and to



prove himself our friend, by praising on every occasion, and upon no occasion, the oppressors of the Catholics, and by abusing the Catholics themselves; the men who would link the Catholic cause to this patron and to that, and sacrifice it at one time to the minister, and at another to the opposition, and make it this day the tool of one party, and the next the instrument of another party; the men, in fine, who hoped to traffic upon our country and our religion, who would buy honours and titles, and places and pensions, at the price of the purity, and dignity, and safety of the Catholic Church in Ireland; all those men have, thank God, quitted us, I hope for ever. They have returned into silence and secession, or have frankly or covertly gone over to our enemies. I regret deeply and bitterly that they have carried with them some few, who, like my Lord Fingal, entertain no other motives than those of purity and integrity, and who, like that noble lord, are merely mistaken.

But I rejoice at this separation—I rejoice that they have left the single-hearted, and the disinterested, and the indefatigable, and the independent, and the numerous, and the sincere Catholics to work out their emancipation unclogged, unshackled, and undismayed. They have bestowed on us another bounty also—they have proclaimed the causes of their secession—they have placed out of doubt the cause of the divisions. It is not intemperance, for that we abandoned; it is not the introduction of extraneous topics, for those we disclaimed; it is simply and purely, Veto or no Veto—restriction or no restriction—in other words; it is religion and principle that have divided us; thanks, many thanks to the tardy and remote



candour of the seceders, that has at length written in large letters the cause of their secession—it is the Catholic Church of Ireland—it is whether that Church shall continue independent of a Protestant ministry or not. We are for its independence—the seceders are for its dependence.

Those are our present prospects of success. First, man is elevated from slavery almost everywhere, and human nature has become more dignified, and, I may say, more valuable. Secondly, England wants our cordial support, and knows that she has only to concede to us justice in order to obtain our affectionate assistance. Thirdly, this is the season of successful petition, and the very fashion of the times entitles our petition to succeed. Fourthly, the Catholic cause is disencumbered of hollow friends and interested speculators. Add to all these the native and inherent strength of the principle of religious freedom, and the inert and accumulating weight of our wealth, our religion, and our numbers, and where is the sluggard that shall dare to doubt our approaching success?

Besides, even our enemies must concede to us, that we act from principle, and from only principle. We prove our sincerity when we refuse to make our emancipation a subject of traffic and barter, and ask for relief only upon those grounds which, if once established, would give to every other sect the right to the same political immunity. All we ask is “a clear stage and no favour.” We think the Catholic religion the most rationally consistent with the divine scheme of Christianity, and therefore, all we ask is, that everybody should be left to

his unbiassed reason and judgment. If Protestants are equally sincere, why do they call the law, and the bribe and the place, and the pension, in support of their doctrines? Why do they fortify themselves behind pains, and penalties, and exclusions, and forfeitures? Ought not our opponents to feel that they degrade the sanctity of their religion, when they call in the profane aid of temporal rewards and punishments, and that they proclaim the superiority of our creed, when they thus admit themselves unable to contend against it upon terms of equality, and by the weapons of reason and argument, and persevere in refusing us all we ask—"a clear stage and no favour."

. . . . .  
I close with conjuring the Catholics to persevere in their present course.

Let us never tolerate the slightest inroad on the discipline of our ancient, our holy Church. Let us never consent that she should be made the hireling of the ministry. Our forefathers would have died, nay, they perished in hopeless slavery, rather than consent to such degradation.

Let us rest upon the barrier where they expired, or go back into slavery, rather than forward into irreligion and disgrace! Let us also advocate our cause on the two great principles—first, that of an eternal separation in spirituals between our Church and the State; secondly, that of the eternal right of freedom of conscience—a right which, I repeat it with pride and pleasure, would exterminate the Inquisition in Spain, and bury in oblivion the bloody Orange flag of dissension in Ireland!

## CATHOLIC ASSOCIATION.

(June 16, 1815.)

ON GRATTAN.

I cannot conclude without deprecating any declamation on the merits of Mr. Grattan. No man can be more sensible of those merits than I am.

I recall to mind his early and his glorious struggles for Ireland. I know he raised her from degradation, and exalted her to her rank as a nation. I recollect, too, that if she be now a pitiful province, Grattan struggled and fought for her whilst life or hope remained. I know all this, and more; and my gratitude and enthusiasm for those services will never be extinguished.

But I know too, that, to use his own phrase of another, "he was an oak of the forest, too old to be transplanted."

I see with regret, that except his services in our cause, he has since the Union, made no exertions worthy of his name and of his strength. Since he has inhaled the foul and corrupt atmosphere that fills some of the avenues to Westminster, there have not been the same health and vigour about him. He seems to have forgotten his ancient adorations. He supported the Insurrection Bill, and every future Peel has the authority of his name to aid in outlawing Ireland. He accused his fallen countrymen of cherishing a French party. Alas! he ought to have distinguished between the strong anti-Anglican spirit which centuries of oppressive government created and fostered and any attachment to the enemy of freedom. The very party

whom he was induced to traduce, hated despotism as much in France as in Russia or in England; and it assuredly had nothing French about it.

## SPEECH AT TARA

(August 15, 1843.)

Here O'Connell again urges the argument he had elaborated in 1840, proving that the English sovereign could convoke a parliament in Dublin, by her own act. This speech cannot be described as a great oratorical triumph but its historical value is indubitable. Delivered a few years before the Liberator's death, its verbiage and intermittent weakness may be traced to the failing powers of a great intellect borne down by immeasurable labours, while its illogical faith in the efficacy of multiplied petitions to the Power which imposed the Union by the methods detailed is probably temperamental. However, the importance of the occasion, and far-reaching effects of its anticlimax cannot be exaggerated. Like the blunder of Mul-laghmast, it unmasked for England the organized strength of the nation's forces, but that strength was unarmed, and she promptly challenged it successfully by proclaiming the meeting at Clontarf.

Understanding now the menace of a too populous Ireland, she took counsel—the "famines" of the years following 1846 were the result.

Mr. O'Connell proceeded to address the meeting, and was received with loud cheers. When the cheering had subsided he said:—It would be the extreme of affectation in me to suggest that I have not some claims to be the leader of this majestic meeting. It would be worse than affectation—it would be drivelling folly, if I were not to feel the awful responsibility of the part I



have taken in this majestic movement imposed upon me (hear, hear.) I feel responsibility to my country—responsibility to my Creator. Yes, I feel the tremulous nature of that responsibility—Ireland is aroused, is aroused from one end to another. Her multitudinous population have but one expression, and one wish, and that is the extinction of the Union, the restoration of her nationality.

A Voice—There will be no compromise.

Mr. O'Connell—Who is that that talks of compromise ? I am not here for the purpose of making anything like a schoolboy's attempt at declamatory eloquence ; I am not here to revive in your recollection any of those poetic imaginings respecting the spot on which we stand, and which have really become as familiar as household words ; I am not here to exaggerate the historical importance of the spot on which we are congregated—but it is impossible to deny that Tara has historical recollections that give to it an importance, relatively, to other portions of the land, and deserves to be so considered by every person who comes to it for political purposes, and gives it an elevation and point of impression in the public mind that no other part of Ireland can possibly have. History may be tarnished by exaggeration, but the fact is undoubted that we are at Tara of the Kings. We are on the spot where the monarchs of Ireland were elected, and where the chieftains of Ireland bound themselves by the sacred pledge of honour and the tie of religion to stand by their native land against the Danes or any other stranger (cheers). This is emphatically the spot from which emanated the social power—the legal authority—the right to dominion

over the furthest extremes of the island, and the power of concentrating the force of the entire nation for the purpose of national defence. On this important spot I have an important duty to perform—I here protest in the face of my country, in the face of my Creator—in the face of Ireland and her God, I protest against the continuance of the unfounded and unjust Union. My proposition to Ireland is that the Union is not binding upon us ; it is not binding, I mean, upon conscience—it is void in principle—it is void as matter of right—and it is void in constitutional law. I protest everything that is sacred, without being profane, to the truth of my assertion, there is really no union between the two countries. My proposition is that there was no authority vested in any person to pass the Act of Union. I deny the authority of the act—I deny the competency of the two legislatures to pass that act. The English legislature had no such competency—that must be admitted by every person. The Irish legislature had no such competency ; and I arraign the Union, therefore, on the ground of the incompetency of the bodies that passed it. No authority could render it binding but the authority of the Irish people, consulted individually through the counties, cities, towns, and villages ; and if the people of Ireland called for the Union, then it was binding on them, but, there was no other authority that could make it binding. The Irish Parliament had no such authority ; they were elected to make laws and not legislatures, and it had no right to the authority which alone belonged to the people of Ireland. The trustee might as well usurp the right of the person who trusts him ; the servant might as well usurp the power

of the master ; the Irish Parliament were elected as our trustees—we were their masters—they were but our servants, and they had no right to transfer us to any other power on the face of the earth. This doctrine is manifest, and would be admitted by every person ; if it were applied to England, would any person venture to assert that the Parliament of England should have the power to transfer its privileges to make laws from England to the legislative chamber of France. Would any person be so insane as to admit it, and that insanity would not be mitigated even if they were allowed to send over their representatives to France. Yes, every person would admit in that case that the Union was void. I have no higher affection for England than for France—they are both foreign authorities to me. The highest legal authority in England has declared us aliens in blood, aliens in religion, and aliens in language from the English. Let no person groan him—I thank him for the honesty of the expression. I never heard of any other act of honesty on his part, and the fact of his having committed one act of honesty ought to recommend him to your good graces. I can refer you to the principle of constitutional law, and to Locke on government, to show that the Irish Parliament had no power or authority to convey itself away. I will only detain you on that point by citing the words of Lord Chancellor Plunket. He declared in the Irish House of Commons that they had no right to transfer the power of legislation from the country. He called upon them to have his words taken down, and he defied the power of Lord Castlereagh to have him censured for the expression, limiting the authority of Parliament. He said to them



that they could not transfer their authority—that the maniacal suicide might as well imagine that the blow by which he destroyed his miserable body could annihilate his immortal soul, as they to imagine they could annihilate the soul of Ireland, her constitutional right. The illustration is a happy one. I am here the representative of the Irish nation, and in the name of that great, that virtuous, that moral, temperate, brave, and religious nation, I proclaim the Union a nullity for it is a nullity in point of right. Never was any measure carried by such iniquitous means as the Union was carried. The first thing that taints it in its origin, and makes it, even if it were a compact, utterly void, is the fraud committed in fomenting discord in the country, and encouraging the rebellion until it broke out, and in making that rebellion and the necessity for crushing it the means of taking from Ireland her constitution and her liberties. There was this second fraud committed on her, that at the time of the passing of the Act of Union Ireland had no legal protection; the *habeas corpus* was suspended, martial law was proclaimed, trial by jury was at an end, and the lives and liberties of all the King's subjects in Ireland were at the mercy of the courts martial. Those among you who were old enough at the time remember when the shriek from the triangle was heard from every village and town, and when the troops would march out from Trim and lay desolate the country for nine or ten miles around. The military law was established in all its horrors throughout every district of the country and the people were trampled in the dust under the feet of the yeomanry, army, and fencibles. The next fraudulent device to which England



had recourse in order to carry this infamous measure, and to promote her own prosperity on the ruins of Irish nationality, was to take the most effective means in order to prevent the Irish people from meeting to remonstrate against the insult and the injury which was about to be inflicted upon them. The Union was void no less from the utter incompetency of the contracting parties to enter into any such contract than by reason of the fact, that it was carried into operation by measures most iniquitous, atrocious and illegal; the habeas corpus act was suspended, torture, flogging, pitch caps, and imprisonment were the congenial agencies whereby England endeavoured to carry her infamous designs, and executions upon the gallows for no other crime than that of being suspected to be suspicious, were of daily occurrence in every part of the kingdom. Thus it was that they endeavoured to crush the expression of the people's feelings, whom they resolved to plunder and degrade. The people were not permitted to assemble together for the purpose of remonstrating against the Union. Meetings—convened by the officers of justice—by the high sheriffs of counties, were dispersed at the point of the bayonet. The people were not permitted to meet together for remonstrance, but they got up petitions in every direction, to testify their feelings upon the subject, and although no less than seven hundred and seven thousand signatures were signed to petitions against the Union, despite of all the corrupt influence of the Government, more than three thousand wretches could not be found to sign a petition in favour of the measure. The next impeachment which I bring against the Union is that it was brought about not only

by physical force, but by bribery the most unblushing and corruption the most profligate. One million two hundred and seventy-five thousand pounds were expended upon the purchase of rotten boroughs alone, and no less a sum than two millions of money were lavished upon speculation unparalleled, and bribery the most enormous and most palpable that ever yet disgraced the annals of humanity. There was not an office, civil, military, or ecclesiastical in the country, which was not flung open to the Unionist as the price and wages of his political depravity. Six or seven judges bought their seats upon the bench by giving in their adhesion to the Union ; and having no claim to wear the ermine other than that which was to be derived from the fact of their being recreants to their country, they continued in right of this during their lives to inflict the effects of their iniquity upon the people whom they betrayed. Twelve bishops obtained their sees by voting for the Union, for the spirit of corruption spared nothing. Men were made prelates, generals, admirals, commissioners, for supporting the ministry in this infamous design, and every office in the revenue and customs was placed at the disposal of those who were base enough to sell their country for a mess of porridge. In fact, corruption was never known to have been carried before or since to such excess in any country of the world, and if such a contract, if contract it could be called, was to be binding on the Irish nation, there was no longer any use for honesty or justice in the world. But strong as was the influence of corruption on the human mind, the victory which the English ministry achieved was slow, and by no means easy of accomplishment, for the intimidation

to the death upon the one hand, and bribery on the other, were impotent to procure a majority for them in the Irish House of Commons in the first session, when the bill was introduced. On the contrary, when the first attempt was made to frustrate our liberties, there was a majority of eleven against the Union bill. But the despoiler was not easy to be foiled, nor was he apt to be disheartened by a single failure. The work of corruption was set on foot with redoubled energy, and the wretches who were not so utterly abandoned as to suffer themselves to be bribed for the direct and positive purpose of giving their vote for the Union, accepted bribes on the condition of withdrawing from the House altogether, and accordingly they vacated their seats, and in their place stepped in Englishmen and Scotchmen who knew nothing of Ireland, and who were not impeded by any conscientious scruples whatever from giving their unqualified sanction to any plot of the English, how infamous soever, to oppress and plunder the country. By these accumulated means the Union was carried and the fate of Ireland sealed. But the monster evil of the Union is the financial robbery which by its means was practised upon Ireland. A scandalous injustice thus inflicted would be in itself sufficient even in the absence of other arguments (even if other arguments were wanting) to render the Union void and of no effect. At the passing of that fatal act (badge of our ruin and disgrace) Ireland owed only twenty millions, England owed four hundred and forty six millions, and the equitable terms on which the contract was based, whereby both countries were to be allied and identified—identified indeed!—were these, that England



was generously to undertake the liability of one-half of her national debt, on condition that we would undertake the responsibility of one-half of hers. This is not a befitting time nor season to enter into minute details relative to the particulars of this financial swindle, but I may be permitted to direct your attention to this very obvious fact, that whereas England has only doubled her debt since the passing of the Union, the increase of the national debt of Ireland during the same period cannot with justice be estimated on a different ratio, and that consequently Ireland, at the very highest calculation, cannot in reality, and as of her own account, owe a larger sum than forty millions ; and I will tell you, my friends, that never will we consent to pay one shilling more of a national debt than that. I say it in the name and on behalf of the Irish nation. But I will tell you this as a secret, and you may rely upon it as a truth, that in point of fact we do not owe one farthing more than thirty millions ; and in proof of the truth of this assertion I beg leave to refer you to a work published by a very near and dear relative of mine—my third son, the member for Kilkenny—who, by the most accurate statistical calculations, and by a process of argument intelligible to the humblest intellect, has made the fact apparent to the world, that according to the terms of honest and equitable dealing, as between both countries, Ireland's proportion of the national debt cannot be set down at a larger sum than I state—thirty millions. I am proud that there is a son of mine who, after the Repeal shall have been carried, will be able to meet the cleverest English financier of them all, foot to foot and hand to hand, and prove by arguments



most incontestible how grievous and intolerable is the injustice which was inflicted upon our country in this respect by the Union. The project of robbing Ireland by joining her legislatively with England was no new scheme which entered the minds of the English for the first time about the year 1800. It was a project which was a favourite theme of dissertation with all the English essayists for years previous to the period when it was carried into practical effect, and the policy towards Ireland, which their literary men were continually urging upon the English people for their adoption, was similar to that of the avaricious housewife who killed the goose who laid her golden eggs. Yes, such was the course they pursued towards Ireland, and you will deserve the reputation of being the lineal descendants of that goose if you be such ganders as not to declare in a voice of thunder that no longer shall this system of plunder be permitted to continue. My next impeachment of the Union is founded upon the disastrous effects which have resulted therefrom to our commercial and manufacturing interests, as well as to our general national interests. Previous to the Union, the county Meath was filled with the seats of noblemen and gentlemen. What a contrast does its present state present ! I on Monday read at the Association a list of the deserted mansions which are now to be found ruined and desolate in your country. Even the spot where the Duke of Wellington (famed the world over for his detestation of his country) drew his first breath, instead of bearing a noble castle, or splendid mansion, presented the aspect of ruin and desolation, and briars and nettles adequately marked the place that

produced him. The county of Meath was at one time studded thickly with manufactories in every direction, and an enormous sum was expended yearly in wages, but here, as in every other district of the country, the eye was continually shocked with sights which evidenced with but too great eloquence the lamentable decay which has been entailed upon our country by the Union. The linen trade at one period kept all Ulster in a state of affluence and prosperity. Kilkenny was for ages celebrated for its extensive blanket manufactures—and Cork also—and Carrick-on-Suir, and in a thousand other localities, too numerous to mention, thousands were kept in constant and lucrative employment, at various branches of national industry, from year's end to year's end, before the passing of the Union. But this is no longer the case, and one man is not now kept in employment for a thousand who were employed before the Union. The report of the English commissioners themselves has declared this appalling fact to the world—that one-third of our population are in a state of actual destitution; and yet, in the face of all this, men may be found who, claiming to themselves the character of political honesty, stand up and declare themselves in favour of the continuance of the Union. It is no bargain—it was a base swindle. Had it, indeed, been a fair bargain, the Irish would have continued faithful to it to the last, regardless of the injuries which it might have entailed upon them—for the Irish people have been invariably faithful to their contracts; whereas England never yet made a promise which she did not violate, nor ever entered into a contract which she did not

shamelessly and scandalously outrage. Even the Union itself, beneficial as it is to England, is but a living lie to Ireland. Everybody now admits the mischief that the Union has produced to Ireland. The very fact of its not being a compact is alone sufficient to nullify the Union, and on that ground I here proclaim, in the name of the Irish nation, that it is null and void. It is a union of legislators; but not a union of nations. Are you and I one bit more of Englishmen now than we were twenty or forty years ago? If we had a Union would not Ireland have the same parliamentary franchise that is enjoyed by England? But calling it a Union, could anything be more unjust on the part of England than to give her own people a higher and more extensive grade of franchise; and to the Irish people a more limited and an extinguishing and perishing franchise. She has given to her people an extended municipal reform, and to Ireland a wretched and miserable municipal reform. Even within the last week a plan was brought forward by Lord Elliot and the sneaking Attorney-General Smith, that will have the effect of depriving one-third of those who now enjoy the franchise of its possession. No, the Union is void, but it is more peremptorily void on the ground of the ecclesiastical revenues of the country being left to support a church of a small portion of the people. In England the ecclesiastical revenues of the country are given to the clergy that the majority of the people believe to teach the truth. In Scotland the ecclesiastical revenues are, or at least were up to a late period, paid to the clergy of the majority of the people; but the Irish people are compelled to pay the clergy of a small minority, not



amounting to more than the one-tenth of the people of the entire island. The Union was effected against all constitutional principle—by the most atrocious fraud—by the most violent and most iniquitous exercise of force—by the most abominable corruption and bribery—by the shifting of Irish members out of their seats, and the putting of Englishmen and Scotchmen into their places ; and that was followed by the destruction of our commerce, by the annihilation of our manufactures, by the depreciation of our farmers—and you know I speak the truth when I talk of the depression of the farming interests—by financial robbery, on an extensive scale to be sure, but a robbery on that very account, only the more iniquitous, fiendish, and harsh. I contend, therefore, that the Union is a nullity ; but do I, on that account, advise you to turn out against it ? No such thing. I advise you to act quietly and peaceably and in no other way.

A Voice—Any way you like.

Mr. O'Connell—Remember that my doctrine is that “ the man who commits a crime gives strength to the enemy,” and you should not act in any manner that would strengthen the enemies of your country. You should act peaceably and quietly, but firmly and determinedly. You may be certain that your cheers here to-day will be conveyed to England. (The vast assemblage here commenced cheering for several minutes in the most deafening and enthusiastic manner, and the distant lines of human beings that on the walls and hedges marked the limits of the immense assemblage might be seen waving their hats and handkerchiefs in response, though, of course, without knowing the sentiment that called forth the burst of



enthusiasm.) Yes, the overwhelming majesty of your multitude will be taken to England, and will have its effect there. The Duke of Wellington began by threatening us. He talked of civil war, but he does not say a single word of that now. He is now getting eyelet holes made in the old barracks, and only think of an old general doing such a thing, just as if we were going to break our heads against stone walls. I am glad to find that a great quantity of brandy and biscuits has been latterly imported, and I hope the poor soldiers get some of them. But the Duke of Wellington is not now talking of attacking us, and I am glad of it ; but I tell him this—I mean no disrespect to the brave, the gallant, and the good conducted soldiers that compose the Queen's army ; and all of them that we have in this country are exceedingly well conducted. There is not one of you that has a single complaint to make against any of them. They are the bravest army in the world, and therefore I do not mean to disparage them at all, but I feel it to be a fact, that Ireland roused as she is at the present moment, would, if they made war upon us, furnish women enough to beat the entire of the Queen's forces. At the last fight for Ireland, when she was betrayed by having confided in England's honour—but oh ! English honour will never again betray our land, for the man will deserve to be betrayed who would confide again in England. I would as soon think of confiding in the cousin-german of a certain personage having two horns and a hoof. At that last battle, the Irish soldiers, after three days' fighting, being attacked by fresh troops, faltered and gave way, and 1,500 of the British army entered the breach. The Irish

soldiers were fainting and retiring when the women of Limerick threw themselves between the contending forces, and actually stayed the progress of the advancing enemy. I am stating matter of history to you, and the words I use are not mine, but those of Parson Story, the chaplain of King William, who describes the siege, and who admits that the Limerick women drove back the English soldiers from fifteen to thirty paces. Several of the women were killed, when a shriek of horror resounded from the ranks of the Irish. They cried out, "Let us rather die to the last man than that our women should be injured," and then they threw themselves forward, and, made doubly valiant by the bravery of the women, they scattered the Saxon and the Dane before them. Yes, I have women enough in Ireland to beat them if necessary ; but, my friends, it is idle to imagine that any statesman ever existed who could resist the cry that Ireland makes for justice.

Having cautioned the meeting against Ribbonism, and alluded in terms of effusive loyalty to Queen Victoria, Mr. O'Connell continued :

We will break no law. See how we have accumulated the people of Ireland for this Repeal Year. When, on the 2nd of January, I ventured to call it the Repeal Year, every person laughed at me. Are they laughing now ? It is our turn to laugh at present. Before twelve months more the Parliament will be in College Green. I said the Union did not take away from the people of Ireland their legal rights. I told you that the Union did not deprive the people of that right, or take away the authority to have self-legislation. It has not lessened the prerogatives of the crown, or taken away the rights of the Sovereign, and

amongst them is the right to call her Parliament wherever the people are entitled to it, and the people of Ireland are entitled to have it in Ireland. And the Queen has only to-morrow to issue her writs and get the Chancellor to seal them, and if Sir Edward Sugden does not sign them she will soon get an Irishman that will, to revive the Irish Parliament. The towns which sold their birthright have no right to be reckoned amongst the towns sending members to Parliament. King James the First, in one day, created forty boroughs in Ireland, and the Queen has the same right as her predecessor to do so. We have a list of the towns to return members according to their population, and the Queen has only to order writs to issue, and to have honest ministers to advise her to issue those writs, and the Irish Parliament is revived by its own energy, and the force of the Sovereign's prerogative. I will only require the Queen to exercise her prerogative, and the Irish people will obtain their nationality again. If, at the present moment, the Irish Parliament was in existence, even as it was in 1800, is there a coward amongst you—is there a wretch amongst you so despicable that would not die rather than allow the Union to pass?

A Voice—Yes, to the last man (cheers).

Mr. O'Connell—Let every man who, if we had an Irish Parliament, would rather die than allow the Union to pass lift up his hands. (The immense multitude lifted up their hands). Yes, the Queen will call that Parliament; you may say it is the act of her ministry, if you please. To be sure it would be the act of her ministry, and the people of Ireland are entitled to have their friends appointed to the ministry. The Irish Parliament will then



assemble, and I defy all the generals, old and young, and all the old women in pantaloons. Nay, I defy all the chivalry of the earth to take away that Parliament from us again. Well, my friends, may I ask you to obey me in the course of conduct I point out to you, when I dismiss you to-day; when you have heard the resolutions put, I am sure you will go home with the same tranquillity with which you came here, every man of you; and if I wanted you again, would you not come again to Tara Hill for me? Remember me, I lead you into no peril. If danger existed, it would arise from some person who would attack us, for we will attack nobody; and if that danger exists you will not find me in the rear rank. The Queen will be able to restore our Parliament to us. The absentee drains, which caused the impoverishment of the country, will be at an end—the wholesale ejectment of tenants and turning them out on the highway—the murdering of tenants by the landlords shall be at an end. The rights of the landlords will be respected, but their duties shall be enforced—an equitable tenure will take the place of the cruel tyranny of the present code of laws, and the protection of the occupying tenants of Ireland be inscribed on the banner of Repeal. Carry home with you my advice—let there be peace and quiet, law and order, and let every one of you enroll yourselves Repealers—men, women, and children. Give me three millions of Repealers, and I will soon have them. The next step is being taken, and I announce to you from this spot, that all the magistrates that have been deprived of the commission of the peace shall be appointed by the association to settle all the disputes and differences in their



neighbourhood. Keep out of the petty sessions court, and go to them on next Monday. We will submit a plan to choose persons to be arbitrators to settle the differences of the people without expense, and I call upon every man that wishes to be thought the friend of Ireland, to have his disputes settled by the arbitrators, and not again to go to the petty sessions. We shall shortly have the preservative society to arrange the means of procuring from her Majesty the exercise of her prerogative, and I believe I am able to announce to you that twelve months cannot possibly elapse without having a hurra for our Parliament in College Green. Remember, I pronounce the Union to be null—to be obeyed, as an injustice must be obeyed, when it is supported by law until we have the royal authority to set the matter right, and substitute our own Parliament. I delight at having this day presided over such an assemblage on Tara Hill. Those shouts that burst from you were enough to recall to life the Kings and Chiefs of Ireland. I almost fancy that the spirits of the mighty dead are hovering over us—that the ancient Kings and Chiefs of Ireland are from yonder clouds listening to us. Oh, what a joyous and cheering sound is conveyed in the chirrup for Old Ireland! It is the most beautiful—the most fertile—the most abundant—the most productive country on the face of the earth. It is a lovely land, indented with noble harbours—intersected with transcendent, translucent streams—divided by mighty estuaries. Its harbours are open at every hour for every tide, and are sheltered from every storm that can blow from any quarter of Heaven. Oh, yes, it is a lovely land, and where is the coward that would not

dare to die for it ! Yes, our country exhibits the extreme of civilization, and your majestic movement is already the admiration of the civilized world. No other country could produce such an amount of physical force, coupled with so much decorum and propriety of conduct. Many thousands of persons assembled together, and, though they have force sufficient to carry any battle that ever was fought, they separate with the tranquillity of schoolboys breaking up in the afternoon. I wish you could read my heart, to see how deeply the love of Ireland is engraven upon it, and let the people of Ireland, who stood by me so long, stand by me a little longer, and Ireland shall be a nation again.

## ROBERT EMMET (1778-1803).

Complete justice has not yet been done to the ability displayed in Emmet's attempt to get possession of Dublin Castle. Its ill-success was in great part due to the incapacity of his lieutenants. After the 23rd of July, 1803, he might have escaped to France, but his love for Sarah Curran finally led to his arrest. He was brought to trial September 19. The judge was Norbury.

### SPEECH FROM THE DOCK.

(September 19, 1803.)

My Lords,—I am asked what have I to say why sentence of death should not be pronounced on me, according to law. I have nothing to say that can alter your predetermination, nor that it will become me to say, with any view to the mitigation of that sentence which you are to pronounce, and I must abide by. But I have that to say which interests me more than life, and which you have laboured to destroy. I have much to say why my reputation should be rescued from the load of false accusation and calumny which has been cast upon it. I do not imagine that seated where you are, your mind can be so free from prejudice as to receive the least impression from what I am going to utter. I have no hopes that I can anchor my character in the breast of a court constituted and trammelled as this is. I only wish, and that is the

utmost that I expect, that your lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds some more hospitable harbour to shelter it from the storms by which it is buffeted. Was I only to suffer death, after being adjudged guilty by your tribunal, I should bow in silence, and meet the fate that awaits me without a murmur ; but the sentence of the law which delivers my body to the executioner will, through the ministry of the law, labour in its own vindication, to consign my character to obloquy ; for there must be guilt somewhere, whether in the sentence of the court, or in the catastrophe, time must determine. A man in my situation has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice. The man dies but his memory lives. That mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port—when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field in the defence of their country and of virtue, this is my hope—I wish that my memory and name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government which upholds its domination by blasphemy of the Most High—which displays its power over man, as over the beasts of the forest—which sets man upon his brother, and lifts his hand in the name of God against the throat of his fellow,



who believes or doubts a little more or a little less than the government standard—a government which is steeled to barbarity by the cries of the orphans, and the tears of the widows it has made.

Lord Norbury here interrupted :—Mean and wicked enthusiasts no doubt felt as Mr. Emmet, but they were not equal to the accomplishment of their wild designs.

I appeal to the immaculate God—I swear by the Throne of Heaven, before which I must shortly appear—by the blood of the murdered patriots who have gone before me—that my conduct has been, through all this peril, and through all my purposes governed only by the conviction which I have uttered, and by no other view than that of the emancipation of my country from the superhuman oppression under which she has so long and too patiently travailed ; and I confidently hope that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noblest of enterprises. Of this I speak with confidence, of intimate knowledge and with the consolation that appertains to that confidence. Think not, my lords, I say this for the petty gratification of giving you a transitory uneasiness. A man who never yet raised his voice to assert a lie, will not hazard his character with posterity, by asserting a falsehood on a subject so important to his country, and on an occasion like this. Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated, will not leave a weapon in the power of envy, or a pretence to impeach the probity which he means to preserve even in the grave, to which tyranny consigns him.

Interrupted by the Court.

Again I say, that what I have spoken was not intended for your lordship, whose situation I commiserate rather than envy—my expressions were for my countrymen. If there is a true Irishman present, let my last words cheer him in the hour of his affliction.

Here Lord Norbury said he was not on the bench to listen to treason.

I have always understood it to be the duty of a judge when a prisoner had been convicted, to pronounce the sentence of the law. I have also understood that judges sometimes think it their duty to hear with patience and to speak with humanity ; to exhort the victim of the laws, and to offer, with tender benignity, their opinions of the motives by which he was actuated in the crime of which he was adjudged guilty. That a judge has thought it his duty so to have done, I have no doubt ; but where is the boasted freedom of your institutions—where is the vaunted impartiality, clemency and mildness of your courts of justice if an unfortunate prisoner, whom your policy, and not justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated ? My lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the purposed ignominy of the scaffold ; but worse to me than the purposed shame, or the scaffold's terrors, would be the shame of such foul and unfounded imputations as have been laid against me in this court. You, my lord, are a judge ; I am the supposed culprit. I am a man ; you are a man also. By a revolution of power we might change places, though we

never could change characters. If I stand at the bar of this court and dare not vindicate my character, what a farce is your justice? If I stand at this bar and dare not vindicate my character, how dare you calumniate it? Does the sentence of death which your unhallowed policy inflicts upon my body, condemn my tongue to silence and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist I shall not forbear to vindicate my character and motives from your aspersions; and, as a man to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honour and love, and for whom I am proud to perish. As men, my lords, we must appear on the great day at one common tribunal; and it will remain for the Searcher of all hearts to show a collective universe, who was engaged in the most virtuous actions, or swayed by the purest motives—my country's oppressor, or——

He was again interrupted and bade listen to the sentence of the law.

My lords, will a dying man be denied the legal privilege of exculpating himself in the eyes of the community from an undeserved reproach, thrown upon him during his trial, by charging him with ambition, and attempting to cast away for a paltry consideration the liberties of his country? Why did your lordships insult me? Or rather, why insult justice, in demanding of me why sentence of death should not be pronounced against me? I know, my lords, that form prescribes that you should ask the question. The form also presents the right of



answering. This, no doubt, may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the Castle before the jury were empanelled. Your lordships are but the priests of the oracle, and I insist on the whole of the forms.

On the court requesting him to continue :—

I am charged with being an emissary of France. An emissary of France! and for what end? It is alleged that I wished to sell the independence of my country; and for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradictions? No; I am no emissary; and my ambition was to hold a place among the deliverers of my country, not in power nor in profit, but in the glory of the achievement. Sell my country's independence to France! and for what end? Was it a change of masters? No, but for my ambition. Oh, my country, was it personal ambition that could influence me? Had it been the soul of my actions, could I not by my education and fortune, by the rank and consideration of my family, have placed myself amongst the proudest of your oppressors? My country was my idol. To it I sacrificed every selfish, every endearing sentiment; and for it I now offer up myself, O God! No, my lords, I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny, and the more galling yoke of a domestic faction, which is its joint partner and perpetrator in the patricide, from the ignominy existing with an exterior of splendour



and a conscious depravity. It was the wish of my heart to extricate my country from this doubly rivetted despotism—I wished to place her independence beyond the reach of any power on earth. I wished to exalt her to that proud station in the world. Connection with France was, indeed, intended, but only as far as mutual interest would sanction or require. Were the French to assume any authority inconsistent with the purest independence, it would be a signal for their destruction. We sought their aid—and we sought it as we had assurance we should obtain it—as auxiliaries in war, and allies in peace. Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes, my countrymen, I should advise you to meet them upon the beach with a sword in one hand and a torch in the other. I would meet them with all the destructive fury of war. I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last entrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable when a foreign nation holds my country in subjection. But it was not as an enemy that the succours of France were to land. I looked, indeed, for the assistance of France; but I wished to prove to France and to the world that Irishmen deserved to be assisted—that they were indignant at

slavery, and ready to assert the independence and liberty of their country ; I wished to procure for my country the guarantee which Washington procured for America—to procure an aid which, by its example, would be as important as its valour ; disciplined, gallant, pregnant with science and experience ; that of a people who would perceive the good, and polish the rough points of our character. They would come to us as strangers, and leave us as friends, after sharing in our perils and elevating our destiny. These were my objects ; not to receive new taskmasters, but to expel old tyrants. It was for these ends I sought aid from France ; because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

After fresh interruption :

I have been charged with that importance in the emancipation of my country, as to be considered the keystone of the combination of Irishmen ; or, as your lordship expressed it, “ the life and blood of the conspiracy.”

You do me honour over much ; you have given to the subaltern all the credit of a superior. There are men engaged in this conspiracy who are not only superior to me, but even to your own conceptions of yourself, my lord—men before the splendour of whose genius and virtues I should bow with respectful deference, and who would think themselves disgraced by shaking your blood-stained hand.

Here he was interrupted.

What, my lord, shall you tell me, on the passage to the

scaffold, which that tyranny (of which you are only the intermediary executioner) has erected for my murder, that I am accountable for all the blood that has been and will be shed in this struggle of the oppressed against the oppressor—shall you tell me this, and must I be so very a slave as not to repel it? I do not fear to approach the Omnipotent Judge to answer for the conduct of my whole life; and am I to be appalled and falsified by a mere remnant of mortality here! By you, too, although if it were possible to collect all the innocent blood that you have shed in your unhallowed ministry in one great reservoir, your lordship might swim in it.

Norbury, unable to remain silent, interposed.

Let no man dare, when I am dead, to charge me with dishonour; let no man attaint my memory, by believing that I could have engaged in any cause but that of my country's liberty and independence; or that I could have become the pliant minion of power, in the oppression and misery of my country. The proclamation of the Provisional Government speaks for our views; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad. I would not have submitted to a foreign oppressor, for the same reason that I would resist the foreign and domestic oppressor. In the dignity of freedom, I would have fought upon the threshold of my country, and its enemy should enter only by passing over my lifeless corpse. And am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor, and the bondage of

the grave, only to give my countrymen their rights, and my country her independence, am I to be loaded with calumny, and not suffered to resent it? No; God forbid!

Lord Norbury interposed again. He reminded Mr. Emmet that his sentiments disgraced his family, and stated that if Dr. Emmet were alive he would reprobate them.

If the spirits of the illustrious dead participate in the concerns and cares of those who were dear to them in this transitory life, oh! ever dear and venerated shade of my departed father, look down with scrutiny upon the conduct of your suffering son, and see if I have, even for a moment, deviated from those principles of morality and patriotism which it was your care to instil into my youthful mind, and for which I am now about to offer up my life. My lords, you are impatient for the sacrifice. The blood which you seek is not congealed by the artificial terrors which surround your victim—it circulates warmly and unruffled through the channels which God created for noble purposes, but which you are now bent to destroy, for purposes so grievous that they cry to heaven. Be yet patient! I have but a few more words to say—I am going to my cold and silent grave—my lamp of life is nearly extinguished—my race is run—the grave opens to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world, it is—THE CHARITY OF ITS SILENCE. Let no man write my epitaph; for as no man who knows my motives dare now vindicate them, let not prejudice or ignorance asperse them. Let them and me rest in obscurity and peace; and my tomb remain uninscribed, and my memory in oblivion, until other times



and other men can do justice to my character. When my country takes her place among the nations of the earth, *then and not till then*, let my epitaph be written. I have done.

## RICHARD LALOR SHEIL (1791-1851).

### SPEECH AT PENENDEN HEATH, KENT.

(October 24, 1828.)

The momentous Clare Election, September, 1828, had been fought and won, mainly through the exertions of O'Connell, Sheil, and the Catholic Association. It became known that Government was considering some measure of Catholic relief. The Protestant interest took alarm, and a mass meeting was announced to be held on Penenden Heath, Kent. Sheil courageously resolved to attend, went to London and purchased a freehold which would qualify him to speak.

Although continually interrupted, no personal violence was offered him. It should be mentioned that amongst Englishmen he had the support of Cobbett and Jeremy Bentham. The latter wrote: "So masterly a union of logic and rhetoric as Mr. Sheil's speech scarcely have I ever beheld."

Let no man believe that I have come here in order that I might enter the lists of religious controversy and engage with any of you in a scholastic disputation. In the year 1828 the Real Presence does not afford an appropriate subject for debate, and it is not by the shades of a mystery that the rights of a British citizen are to be determined. I do not know whether there are many here by whom I am regarded as an idolater, because I conscientiously adhere to the faith of your forefathers, and profess the

doctrine in which I was born and bred ; but if I am so accounted by you, you ought not to inflict a civil deprivation upon the accident of the cradle. You ought not to punish me for that for which I am not in reality to blame. If you do you will make the misfortune of the Catholic the fault of the Protestant, and by inflicting a wrong upon my religion, cast a discredit upon your own. I am not the worse subject of my king, and the worse citizen of my country, because I concur in the belief of the great majority of the Christian world ; and I will venture to add, with the frankness and something of the bluntness by which Englishmen are considered to be characterized, that if I am an idolater, I have a right to be one if I choose ; my idolatry is a branch of my prerogative, and is no business of yours. But you have been told by Lord Winchelsea that the Catholic religion is the adversary of freedom. It may occur to you, perhaps, that his lordship affords a proof in his own person that a passion for Protestantism and a love of liberty are not inseparably associated ; but without instituting too minute or embarrassing an inquiry into the services to freedom which in the course of his political life have been conferred by my Lord Winchelsea, and putting aside all personal considerations connected with the accuser, let me proceed to the accusation.

Calumniators of Catholicism, have you read the history of your country ? Of the charges against the religion of Ireland the annals of England afford the confutation. The body of your common laws was given by the Catholic Alfred. He gave you your judges, your magistrates, your high sheriffs (you, sir, hold your office, and have

called this great assembly, by virtue of his institutions)—your courts of justice, your elective system, and the great bulwark of your liberties, the trial by jury. When Englishmen peruse the chronicles of their glory, their hearts beat high with exultation, their emotions are profoundly stirred, and their souls are ardently expanded. Where is the English boy who reads the story of his great island, whose pulse does not beat at the name of Runnymede, and whose nature is not deeply thrilled at the contemplation of that great incident when the mitred Langton, with his uplifted crozier, confronted the tyrant, whose sceptre shook in his trembling hand, and extorted what you have so justly called the Great, and what, I trust in God, you will have cause to designate as your everlasting Charter? It was by a Catholic pontiff that the foundation-stone in the temple of liberty was laid; and it was at the altars of that religion which you are accustomed to consider as the handmaid of oppression, that the architects of the Constitution knelt down. Who conferred upon the people the right of self-taxation, and fixed if he did not create, the representation of the people? The Catholic Edward the First; while in the reign of Edward the Third perfection was given to the representative system, parliaments were annually called, and the statute against constructive treason was enacted. It is false, foully, infamously false, that the Catholic religion, the religion of your forefathers, the religion of seven millions of your fellow-subjects, has been the auxiliary of debasement, and that to its influences the suppression of British freedom can, in a single instance, be referred. I am loath to say that which can give you cause to take



offence ; but when the faith of my country is made the object of imputation I cannot help, I cannot refrain from breaking into a retaliatory interrogation, and from asking whether the overthrow of the old religion of England was not effected by a tyrant, with a hand of iron and a heart of stone ? whether Henry did not trample upon freedom, while upon Catholicism he set his foot ; and whether Elizabeth herself, the virgin of the Reformation, did not inherit her despotism with her creed ; whether in her reign the most barbarous atrocities were not committed ; whether torture, in violation of the Catholic common law of England, was not politically inflicted, and with the shrieks of agony the Towers of Julius, in the dead of night, did not re-echo ? And to pass to a more recent period, was it not on the very day on which Russell perished on the scaffold that the Protestant University of Oxford published the declaration in favour of passive obedience, to which your Catholic ancestors would have laid down their lives rather than have submitted ?

These are facts taken from your own annals, with which every one of you should be made familiar ; but it is not to your own annals that the recriminatory evidence, on which I am driven to rely, shall be confined. If your religion is the inseparable attendant upon liberty, how does it come to pass that Prussia, and Sweden, and Denmark, and half the German states should be Protestants, and should be also slaves ? You may suggest to me that in the larger portion of Catholic Europe freedom does not exist ; but you should bear in mind that at a period when the Catholic religion was in its most palmy state freedom flourished in the countries in which it is

now extinct. Look at Italy, not indeed as she now is, but as she was before Martin Luther was born, when literature and liberty were associated, and the arts imparted their embellishments to her free political institutions. I call up the memory of the Italian Catholic republics in the great cause which I am sufficiently adventurous to plead before you. Florence, accomplished, manufacturing, and democratic, the model of your own municipal corporations, gives a noble evidence in favour of Catholicism ; and Venice, Catholic Venice, rises in the splendour of her opulence and the light of her liberty, to corroborate the testimony of her celebrated sister with a still more lofty and majestic attestation. If from Italy I shall ascend the Alps, shall I not find, in the mountains of Switzerland, the sublime memorials of liberty, and the reminiscences of those old achievements which preceded the theology of Geneva, and which were performed by men by whom the ritual of Rome was uttered on the glaciers, and the great mystery of Catholicism was celebrated on the altars which nature had provided for that high and holy worship ? But Spain, I may be told, Spain affords the proof that to the purposes of despotism her religion has always lent its impious and disastrous aid. That mistake is a signal one, for when Spain was most devotedly Catholic, Spain was comparatively free—her Cortes assumed an attitude nobler even than your own Parliament, and told the king, at the opening of every session in which they were convened, that they were greater and invested with a higher authority than himself. In the struggles made by Spaniards within our own memory we have seen the revival of that lofty sentiment ; while

amongst the descendants of Spaniards, in the provinces of South America, called into existence in some sort by yourselves, we behold no religion but the Catholic, and, no government of which the principle is not founded in the supremacy of the people. Republic after republic has arisen at your bidding through that immeasurable expanse, and it is scarce an exaggeration to say (if I may allude to a noble passage in one of the greatest writers of our time) that liberty, with her "meteor standard" unfurled upon the Andes,

Looks from her throne of clouds o'er half the world.

False, I repeat it, with all the vehemence of indignant asseveration, utterly false is the charge habitually preferred against the religion which Englishmen have laden with penalties, and have marked with degradation. I can bear with any other charge but this—to any other charge I can listen with endurance: tell me that I prostrate myself before a sculptured marble; tell me that to a canvas glowing with the image of heaven I bend my knee; tell me that my faith is my perdition:—and as you traverse the churchyards in which your forefathers are buried, pronounce upon those who have lain there for many hundred years a fearful and appalling sentence:—yes; call what I regard as the truth not only an error, but a sin to which mercy shall not be extended:—all this I will bear—to all this I will submit—nay, at all this I will but smile—but do not tell me that I am in heart and creed a slave—that my countrymen cannot brook; in their own bosoms they carry the high consciousness that never was imputation more foully false or more detestably



calumnious. I do not believe that with the passion for true liberty a nation was ever more enthusiastically inspired—never were men more resolved—never were men more deserving to be free than the nation in whose oppression, fatally to Ireland and to themselves, the statesmen of England have so madly persevered.

What have been the results of that system which you have been this day called together to sustain? You behold in Ireland a beautiful country, with wonderful advantages agricultural and commercial, a resting-place for trade on its way to either hemisphere; indented with havens, watered by numerous rivers, with a fortunate climate in which fertility is raised upon a rich soil, and inhabited by a bold, intrepid, and, with all their faults, a generous and enthusiastic people. Such is Ireland as God made her—what is Ireland as you have made her? This fine country, swarming with a population the most miserable in Europe, of whose wretchedness, if you are the authors, you are beginning to be the victims—the poisoned chalice is returned in its just circulation to your lips. Harvests the most abundant are reaped by men with starvation in their faces; all the great commercial facilities of the country are lost; the rivers that should circulate opulence, and turn the machinery of a thousand manufactures, flow to the ocean without wafting a boat or turning a wheel; the wave breaks in solitude in the silent magnificence of deserted and shipless harbours. In place of being a source of wealth and revenue to the empire, Ireland cannot defray its own expenses; her discontent costs millions of money; she debilitates and endangers England. The great mass of her population are alienated and dissociated



from the state ; the influence of the constituted and legitimate authorities is gone ; a strange, anomalous and unexampled kind of government has sprung up, and exercises a despotic sway ; while the class inferior in numbers, but accustomed to authority, and infuriated at its loss, are thrown into formidable reaction ; the most ferocious passions rage from one extremity of the country to the other. Hundreds and thousands of men, arrayed with badges, gather in the South, and the smaller faction, with discipline and with arms, are marshalled in the North : the country is like one vast magazine of powder, which a spark might ignite into an explosion, and of which England would not only feel, but perhaps never recover from the shock.

## ISAAC BUTT (1812-1879).

SPEECH ON HOME RULE IN THE HOUSE OF  
COMMONS.

(March 20, 1874.)

Delivered on the occasion of the Speech from the Throne. In the resulting debate on the Amendment, Mr. Gladstone spoke against it, pointing out that there were two methods of dealing with grievances in the House, "one by endeavouring to cure them, and one by endeavouring to create them."

A single sentence will show the spirit of the discussion :—  
"He (Mr. Butt) knows very well that if he ever does prepare a plan for remedying the dissatisfaction which he asserts exists in Ireland, it would be carefully examined, and that we should enquire whether it was intelligible before we thought whether it was expedient."

The Amendment was rejected by a majority of 264.

In moving an Amendment to the Address, I am fully aware of the objection that may be raised to a course being followed which will bring controversial questions to the vote on such an occasion as the present. I venture at the same time to think that, if the House favours me with a hearing, I shall be able to satisfy hon. members that I am justified in acting as I do ; I hope, in short, to show that there is an absolute necessity for giving Ireland a new system of internal Government. The proposal I desire

to submit to the House is that the following passage be added to the Address :—

“ We also think it right humbly to represent to Your Majesty that dissatisfaction prevails very extensively in Ireland with the existing system of Government in that country, and that complaints are made that under that system the Irish people do not enjoy the full benefit of the Constitution and of the free principles of the law; and we humbly assure Your Majesty that we shall regard it as the duty of Parliament, on the earliest opportunity, to consider the origin of this dissatisfaction with a view to the removal of all just causes of discontent.”

I think there is one result of this dissatisfaction in Ireland, as exhibited by the recent elections, to which no person can be indifferent, and which no wise statesman can disregard. For the first time since the Act of Union, a majority—I will call it a decisive majority of Irish members has been returned pledged to seek such a modification of the arrangements of the Union as would give to Irishmen in Ireland the right of managing their own affairs. I refer to this fact as evidence of dissatisfaction with the existing state of things. The Irish members who have been returned as Home Rulers are a decisive majority of the Irish representatives, and these have not been pledged to any mere vague declaration in favour of Home Rule. Those who have thought it right to endeavour to excite the attention of the country to the question of Home Rule have deliberately prepared and put before the country the plan contained in the Resolution, which, I venture to say, is framed in terms as clear and distinct as possible. We ask that Ireland shall have the manage-

ment of all exclusively Irish affairs. Our plan would relieve the House of business which it has not the time, and, I may say, without disrespect, the capacity, to manage. Our plan would not in the slightest degree affect the prerogative of the Crown or the stability of the Empire. We see no reason why an Irish Parliament could not manage exclusively Irish affairs without endangering the stability of the Empire. Has the grant of Parliaments to Canada, Australia, and other Colonies endangered the stability of the Empire? I believe I speak for every member who has been returned for Ireland on the Home Rule principle, when I say that we repudiate, in the strongest terms, the slightest wish to break up the unity of the Empire, or to bring about a collision between England and Ireland. We make no secret that they have all been elected to put forward the claim of Ireland to Home Rule, and, whether rightly or wrongly, we have come to an agreement among ourselves that we will act separately and independently of all existing political combinations in this House.

Whether this course is wise or not, it certainly is a new feature in Irish politics, and one that cannot be overlooked. We take up this position because we cannot acquiesce in anything that appears to us to imply that there is nothing in the state of Ireland that requires a remedy. In taking up this position I feel that we have taken a great responsibility upon ourselves, and I know the difficulty of our position. I know the prejudice which the statement that we have determined to act independently of political combinations must naturally provoke, but I would ask this House to judge us by our conduct. We



would pursue a course very different from anything like faction. I think I may base the first part of this Amendment upon the mere fact that a majority of the Irish members are returned expressly to endeavour to obtain for Ireland self-government. I know not what stronger proof can be given of the dissatisfaction existing in Ireland. This dissatisfaction has been constitutionally expressed. It has not been expressed by any disturbances, such as on former occasions have been noticed in the Queen's Speech. The Irish people have made this great political movement at a time when perfect tranquillity prevails throughout the country, and in all the agitation by which the result has been brought about there has been nothing unconstitutional or illegal. It has been expressed through that political franchise which has been given to them for the purpose of declaring their political opinion. Ireland at present is in a state of perfect tranquillity. The Assizes that have just closed have ended in every place with congratulations from the Judges upon the peaceableness of the different counties. In the last Summer Assizes in the city I have the honour to represent (Limerick), white gloves were given to the Judge, there not being a single prisoner to be tried. In the city of Cork, another great city in the south of Ireland, the very same thing occurred. I think the dissatisfaction in Ireland calls upon the House, I will not say to alter or reverse any policy that has been hitherto pursued with reference to Ireland, but certainly to review calmly and deliberately that policy, and ascertain the causes that have given rise to the dissatisfaction as to the management of Irish affairs by this House.

I think I need not go far to justify the second part of this Amendment, which affirms that the Irish people complain that they have not had the full benefits of the Constitution of England. I believe that at this moment Ireland is under a code of law which for severity has not its parallel in any European State. I will not speak for a moment of the law that prevails all over Ireland independently of the will of the Lord Lieutenant. The Lord Lieutenant has power, by proclamation, to make it illegal in any district to carry arms without a licence from a police magistrate ; and any man having a gun, a pistol, or dagger is liable, unless he have a magistrate's licence, to imprisonment for two years. Of the thirty-two counties in Ireland, twenty-six have been proclaimed ; the greater part of five others has been proclaimed ; and there is just one county in Ireland, designated Tyrone, which is free from proclamation. Of the eight counties and cities, Carrickfergus only is free from proclamation. Now, this, I think, is a very startling state of things in Ireland. But more than this—at any time of the night, in any district where this law prevails, any policeman holding a warrant may demand to be admitted into any house in a proclaimed district, and may break open the door if admittance be refused, to search the house for arms ; one hundred and nineteen of these general warrants are now in operation. Even this is not all. By proclamation the Lord Lieutenant may make it a crime to be out of doors after dark ; while by another proclamation he can empower the police to seize any stranger ; and a large portion of Ireland is at present under this law. By another proclamation any magistrate or police officer may

demand admittance to any man's house, and ransack his papers for the purpose of comparing the handwriting with the handwriting of a threatening letter. Let it not be insinuated that these powers are never used. They are in daily and constant use. On one occasion a number of young men, one of whom was the son of a respectable merchant, determined to play "Hamlet." A police inspector, hearing of this, went to the theatre, arrested the young gentleman, and kept him in prison from Saturday night till Monday morning, when he was brought before a magistrate on a charge of having arms in his possession.

Cases like this are of frequent occurrence in Ireland. Under the pretext of searching for arms the police often seek to procure evidence of robberies and thefts, and these powers may be abused for many other purposes. I care not how these provisions may be defended, for I am sure they are not necessary.

This, I think, amply justified me in saying that Ireland does not enjoy the advantages of the British Constitution, nor the free principles of the English law. These powers are in constant use. With regard to arresting persons after sunset, I will tell the House what occurred on the fifth of the present month, according to an account which appeared in a very respectable newspaper. Early in the morning on that day a band went to attend an election meeting. In going through the town they played some tune—which, however, was not a party tune—and the young people of the place were naturally attracted by the music. The crowd cheered, and then a policeman thought fit to think an offence had been committed against the law.

Subsequently, the constable followed two young men, whom he knew perfectly well, a distance of two miles, and at six minutes to six o'clock, just after sunset, he told them they were out under suspicious circumstances. Thereupon he carried them to goal, where they were detained until they were brought before a magistrate the next day. Is this a state of things that ought to be endured in a country which is nominally under the British Constitution? The police in Ireland are in truth a military force. A high Conservative authority has said they are ten times as numerous as they need be for the purpose of keeping the peace; and the late Lord Mayo said that, by converting them into a military force, their efficiency as detectors of crime has been destroyed. The existing laws make the police the masters of the daily life of the people. Indeed the police have been termed an "army of occupation" and when the civil power of a country is confided to such an army, the law is identified with the idea of conquest. But how does Ireland stand with regard to other matters? In the first place, the franchise is not the same as in England. When the late Reform Act was passed for England, household suffrage was introduced into the boroughs; whereas in Ireland no one can vote in a borough unless he have a rating qualification above £4. Moreover, the franchise in Ireland is encumbered by so many vexatious rules about rating that it is difficult for anybody to obtain a vote. In England, with a population of 26,000,000, as many as 1,200,000 enjoy the town franchise; while in Ireland, with a population of 5,000,000 there are just 50,000 town voters, of whom 30,000 are to be found in Belfast, Dublin, Cork and Limerick. In



the whole of the rest of Ireland only 20,000 persons are admitted to what ought to be a popular franchise. Perhaps it may be said that the town population of Ireland is not so large as that of England. This is doubtless true, but in England one man out of every eight has the franchise, whereas in Ireland only one man out of every twenty has it. I will ask you whether the Irish people have the full benefit of the Constitution which has been established in England? It is a strange circumstance that the progress of Liberal opinions leads to this divergence between the English and the Irish franchises. Formerly they were the same in both countries, but shortly after the passing of Catholic Emancipation the 40/- freeholders were abolished, and by the Reform Act the franchise in Ireland was made higher than in England. There is also a difference between the municipal franchise in the two countries. In Ireland—the poorer country, be it remembered—a man cannot take part in a municipal election unless he occupies a house worth £10 a year, but in England every householder has a right to vote. Again, how are fiscal affairs managed in Ireland? A Grand Jury is summoned in every county for the purpose of finding bills and discharging the criminal administration of justice, and the members of this body, who are not elected by the people, are made the guardians of the whole county expenditure, which amounts throughout the whole of Ireland to £1,200,000 a year. In fact, the whole system of Government in Ireland is based on distrust of the people, just as the whole system of Government in England is based upon trust of the people.

This circumstance, I think, justifies the complaint

of the people of Ireland that they have not the benefit of the Constitution. In accordance with an old principle of the British Constitution, sheriffs in all towns are elected by the people, and this was the case in Ireland until Liberal legislation reformed the corporations, and took from them this power of electing sheriffs. Do not the facts I have mentioned justify me in asking the House to recede from its policy of coercion and distrust? The conclusion has been reluctantly forced upon me, that conceding to Ireland a Parliament to manage its own affairs is the only way to establish a perfect Constitutional Government in that country. I am persuaded that any candid Englishman who will examine the peculiar condition of Ireland, and the differences which exist between Ireland and England, will arrive, as I have done, at the conclusion that the only way to have a really Constitutional Government in Ireland is to allow the representatives of the people, freely chosen by the people, to administer their own affairs. However, the Amendment I am about to move does not express any opinion on this point. All I now ask the House to say is that Ireland has not the benefit of the Constitution, and to consider a remedy. The Amendment ought to commend itself to the common sense and candour of English gentlemen. A new state of things has arisen in Ireland, and an opportunity is now given to the House of Commons to review its policy with regard to that country. I do not at present ask the House to concede Home Rule to Ireland. That question remains to be discussed, and perhaps to be discussed for many years. But first the advocates of Home Rule must satisfy the English people that they are not

seeking separation. Ireland has given up the idea of separation, because she has before her the prospect of obtaining another and a far better thing. I do not believe Ireland will ever be content with the existing state of things but if Englishmen approach the subject with unprejudiced minds, there will be no difficulty in framing a measure which will make Ireland contented, while the integrity of the Empire will be perfectly maintained.

We are now entering upon a new phase of Irish politics. It is not my wish to say one word of disrespect towards the right hon. gentleman opposite (Mr. Disraeli), who by his genius has raised himself to the exalted position he at present occupies. The right hon. gentleman is now, for the first time in his life in power, although he has previously been in office. Ireland is a field large enough for the ambition of any man if he can reconcile that country cordially to the British nation, and dispel every trace of disloyalty to the British Crown. I believe it is possible to do this by wise legislation. There may be a veiled policy as well as a veiled rebellion. It will be a mistake, however, if the right hon. gentleman conceives that other questions will not have to be dealt with. If a policy of conciliation is pursued towards Ireland, the right hon. gentleman will not find himself obstructed by Irish representatives; but if he unfortunately pursues a different course, he will find himself disappointed. But however great our wish to relieve the House of Commons from the management of exclusively Irish affairs, for which we believe the House unfit, while these affairs are managed in the House, and we continue members of it, a duty devolved upon us which will be discharged by not offering

factionous opposition to any measures for the benefit of Ireland, from whichever side of the House, such measures may emanate.

I think I have shown that a crisis has arisen in the affairs of Ireland, presenting new phases ; that those gentlemen who have associated themselves for the purpose of obtaining self-Government for Ireland are bound not to acquiesce in an Address which infers that things shall remain as they are ; and it is with this view that I now place in the hands of the Speaker the Amendment which I have prepared.



## THOMAS FRANCIS MEAGHER

(1823-1867).

O'Connell having attended a levee at Lord John Russell's house, and come to an understanding with the Whigs, determined to rid the Repeal Association of those who declined to have anything to do with the Whig Alliance. The incident of the Dungarvan election, when he stated that if a Repealer could not be got, he would not oppose a man sympathetic to "the present ministry" caused much surprise, and to forestall any action on the part of his critics, he had the famous Peace Resolutions drawn up, thinking this would compel the Young Irelanders to quit the Association. Meagher alone objected.

On July 27th and 28th, 1846, two meetings were held at Conciliation Hall, the aim being to force a Secession on the basis of the Peace Resolutions, carefully revised.

On the first day of the debate Smith O'Brien pointed out the folly of alliance with the national enemy and the danger of taking office under either party. John O'Connell replied, in favour of the alliance with the stock arguments used often since. On the second day the debate was resumed, not on the question of physical force, but on the danger of place-begging. When Meagher rose he addressed a hostile audience, which only slowly yielded to the spell of his eloquence.

It is safe to say that the "Sword Speech" has been read wherever the language in which it was delivered is spoken, not only for the virile wisdom of its opening passages, but for the clashing splendour of its peroration.

## SWORD SPEECH.

(Conciliation Hall, Dublin, July 28, 1846.)

My Lord Mayor,—I will commence as Mr. Mitchel concluded, by an allusion to the Whigs. I fully concur with my friend, that the most comprehensive measures which the Whig Minister may propose will fail to lift this country up to that position which she has the right to occupy, and the power to maintain. A Whig Minister, I admit, may improve the province—he will not restore the nation. Franchises, tenant compensation bills, liberal appointments, may ameliorate—they will not exalt. They may meet the necessities—they will not call forth the abilities of the country. The errors of the past may be repaired—the hopes of the future will not be fulfilled. With a vote in one pocket, a lease in the other, a full “justice” before him at the petty sessions—in the shape of a “restored magistrate”—the humblest peasant may be told that he is free ; but, my lord, he will not have the character of a freeman—his spirit to dare, his energy to act. From the stateliest mansion down to the poorest cottage in the land, the inactivity, the meanness, the debasement, which provincialism engenders, will be perceptible. . . .

A good government may, indeed, redress the grievances of an injured people ; but a strong people can alone build up a great nation. To be strong, a people must be self-reliant, self-ruled, self-sustained. The dependence of one people upon another, even for the benefits of legislation, is the deepest source of national weakness. By an unnatural law it exempts a people from their just

duties,—their just responsibilities. When you exempt a people from these duties, from these responsibilities, you generate in them a distrust in their own powers. Thus you enervate, if you do not utterly destroy, that spirit which a sense of these responsibilities is sure to inspire, and which the fulfilment of these duties never fails to invigorate. Where this spirit does not actuate, the country may be tranquil—it will not be prosperous. It may exist, it will not thrive. It may hold together—it will not advance. Peace it may enjoy—for peace and serfdom are compatible. But, my lord, it will neither accumulate wealth, nor win a character. It will neither benefit mankind by the enterprise of its merchants, nor instruct mankind by the examples of its statesmen. I make these observations, for it is the custom of some moderate politicians to say, that when the Whigs have accomplished the “pacification” of the country, there will be little or no necessity for Repeal. My lord, there is something else, there is everything else, to be done when the work of “pacification” has been accomplished—and here it is hardly necessary to observe, that the prosperity of a country is, perhaps, the sole guarantee for its tranquillity, and that the more universal the prosperity the more permanent will be the repose. But the Whigs will enrich as well as pacify! Grant it, my lord. Then do I conceive that the necessity for Repeal will augment. Great interests demand great safeguards. The prosperity of a nation requires the protection of a senate. Hereafter a national senate may require the protection of a national army. So much for the extraordinary affluence with which we are threatened; and which it is said by gentle-

men on the opposite shore of the Irish sea, will crush this Association, and bury the enthusiasts who clamour for Irish nationality, in a sepulchre of gold. This prediction, however, is feebly sustained by the ministerial programme that has lately appeared. On the evening of the 16th the Whig Premier, in answer to a question that was put to him by the member for Finsbury, Mr. Duncombe, is reported to have made this consolatory announcement:—

“We consider that the social grievances of Ireland are those which are most prominent—and to which it is most likely to be in our power to afford, not a complete and immediate remedy, but some remedy, some kind of improvement, so that some kind of hope may be entertained that, some ten or twelve years hence, the country will, by the measures we undertake, be in a far better state with respect to the frightful destitution and misery which now prevail in that country. We have that practical object in view.”

After that most consolatory announcement, my lord, let those who have the patience of Job and the poverty of Lazarus, continue in good faith “to wait on Providence and the Whigs”—continue to entertain “some kind of hope” that if not “a complete and immediate remedy,” at least “some remedy,” “some improvement” will place this country in a far better state than it is at present, “some ten or twelve years hence.” After that, let those who prefer the periodic boons of a Whig government to that which would be the abiding blessing of an Irish Parliament—let those who deny to Ireland what they assert for Poland—let those who would inflict, as Henry Grattan said, an eternal disability upon this country,



to which Providence has assigned the largest facilities for power—let those who would ratify the “base swap,” as Mr. Sheil once stigmatised the Act of Union, and who would stamp perfection upon that deed of perfidy—let such men

“Plod on in sluggish misery,  
Rotting from sire to sire, from age to age,  
Proud of their trampled nature.”

But we, my lord, who are assembled in this hall, and in whose hearts the Union has not bred the slave’s disease—we who have not been imperialised—we are here, with the hope to undo that work, which, forty-six years ago, dishonoured the ancient peerage, and subjugated the people of our country.

My lord, to assist the people of Ireland to undo that work I came to this hall. I came to repeal the Act of Union—I came here for nothing else. Upon every other question, I feel myself at perfect liberty to differ from each and every one of you. Upon questions of finance—questions of a religious character—questions of an educational character—questions of municipal policy—questions that may arise from the proceedings of the legislature—upon all these questions, I feel myself at perfect liberty to differ from each and every one of you. Yet more, my lord, I maintain that it is my right to express my opinion upon each of these questions, if necessary. The right of free discussion I have here upheld. In the exercise of that right I have differed, sometimes, from the leader of this Association, and would do so again. That right I will not abandon—I shall maintain it to the last. In doing so, let me not be told that I seek to undermine the influence

of the leader of this Association and am insensible to his services. My lord, I am grateful for his services, and will uphold his just influence. This is the first time I have spoken in these terms of that illustrious man, in this hall. . . . No, my lord, I am not ungrateful to the man who struck the fetters off my arms, whilst I was yet a child, and by whose influence, my father—the first Catholic who did so for two hundred years—sat for the last two years, in the civic chair of an ancient city. But, my lord, the same God who gave to that great man the power to strike down an odious ascendancy in this country, and enabled him to institute in this land the glorious law of religious equality—the same God gave to me a mind that is my own—a mind that has not been mortgaged to the opinions of any man or any set of men—a mind that I was to use and not surrender.

My lord, in the exercise of that right which I have here endeavoured to uphold—a right which this Association should preserve inviolate, if it desires not to become a despotism. In the exercise of that right I have differed from Mr. O'Connell on previous occasions, and differ from him now. I do not agree with him in the opinion he entertains of my friend, Charles Gavan Duffy—that man whom I am proud indeed to call my friend—though he is a “convicted conspirator,” and suffered for you in Richmond prison. I do not think he is a “maligner.” I do not think he has lost, or deserves to lose, the public favour. I have no more connection with the “Nation” than I have with the “Times.” I, therefore, feel no delicacy in appearing here this day in defence of its principles, with which I avow myself identified. My lord,

it is to me a source of true delight and honest pride to speak this day in defence of that great journal. I do not fear to assume the position. Exalted though it be, it is easy to maintain it. The character of that journal is above reproach. The ability that sustains it has won an European fame. The genius of which it is the offspring, the truth of which it is the oracle, have been recognised, my lord, by friends and foes. I care not how it may be assailed—I care not howsoever great may be the talent, howsoever high may be the position, of those who now consider it their duty to impeach its writings—I do think that it has won too splendid a reputation to lose the influence it has acquired. The people, whose enthusiasm has been kindled by the impetuous fire of its verse, and whose sentiments have been ennobled by the earnest purity of its teaching, will not ratify the censure that has been pronounced upon it in this hall. Truth will have its day of triumph, as well as its day of trial ; and I foresee that the fearless patriotism which, in those pages, has braved the prejudices of the day, to enunciate grand truths, will triumph in the end. My lord, such do I believe to be the character, such do I anticipate will be the fate of the principles that are now impeached. This brings me to what may be called the “question of the day.” Before I enter upon that question, however, I will allude to one observation which fell from the honourable member for Kilkenny (John O’Connell), and which may be said to refer to those who expressed an opinion that has been construed into a declaration of war. The honourable gentleman said—in reference, I presume, to those who dissented from the resolutions of

Monday—that “Those who were loudest in their declarations of war, were usually the most backward in acting up to these declarations.”

My lord, I do not find fault with the honourable gentleman for giving expression to a very ordinary saying, but this I will say, that I did not volunteer the opinion he condemns—to the declaration of that opinion I was forced. You left me no alternative—I should compromise my opinion, or avow it. To be honest, I avowed it. I did not do so to brag, as they say “We have had too much of that “bragging” in Ireland. I would be the last to imitate the custom. Well, I dissented from those “peace resolutions”—as they are called. Why so? In the first place, my lord, I conceive that there was not the least necessity for them. No member of this Association suggested an appeal to arms. No member of this Association advised it. No member of this Association would be so infatuated as to do so. In the existing circumstances of the country, an excitement to arms would be senseless—and wicked, because irrational. To talk nowadays of repealing the Act of Union by force of arms would be to rhapsodize. . . . There might be a riot in the street—there would be no revolution in the country. The secretary, Mr. Crean, will far more effectually promote the cause of Repeal, by registering votes in Green Street than registering fire-arms in the Head Police Office. Conciliation Hall on Burgh Quay is more impregnable than a rebel camp on Vinegar Hill. The hustings at Dundalk will be more successfully stormed than the Magazine in the Park. The registry club, the reading room, the polling booths, these are the only positions in



the country we can occupy. Voters' certificates, books, pamphlets, newspapers, these are the only weapons we can employ. Therefore, my lord, I cast my vote in favour of the peaceful policy of this Association. It is the only policy we can adopt. If that policy be pursued with truth, with courage, with fixed determination of purpose, I firmly believe it will succeed.

But, my lord, I dissented from the resolutions before us, for other reasons. I stated the first—I now come to the second. I dissented from them, for I felt that by assenting to them, I should have pledged myself to the unqualified repudiation of physical force in all countries, at all times, and under every circumstance. This I could not do. For, my lord, I do not abhor the use of arms in the vindication of national rights. There are times when arms will alone suffice, and when political ameliorations call for a drop of blood, and many thousand drops of blood. Opinion, I admit, will operate against opinion. But as the honourable member for Kilkenny has observed, force must be used against force. The soldier is proof against an argument—but he is not proof against a bullet. The man that will listen to reason—let him be reasoned with, but it is the weaponed arm of the patriot that can alone prevail against battalioned despotism.

Then, my lord, I do not condemn the use of arms as immoral, nor do I conceive it profane to say, that the King of Heaven—the Lord of Hosts ! the God of Battles, bestows His benediction upon those who unsheath the sword in the hour of a nation's peril.

From that evening on which, in the valley of Bethulia, He nerved the arm of the Jewish girl to smite the drunken

tyrant in his tent, down to this day, in which He has blessed the insurgent chivalry of the Belgian priest, His Almighty hand hath ever been stretched forth from His throne of Light, to consecrate the flag of freedom—to bless the patriot's sword ! Be it in the defence, or be it in the assertion of a people's liberty, I hail the sword as a sacred weapon ; and if, my lord, it has sometimes taken the shape of the serpent and reddened the shroud of the oppressor with too deep a dye, like the anointed rod of the High Priest, it has at other times, and as often, blossomed into celestial flowers to deck the freeman's brow.

Abhor the sword—stigmatise the sword ? No, my lord, for in the passes of the Tyrol it cut to pieces the banner of the Bavarian, and through those cragged passes struck a path to fame for the peasant insurrectionist of Inspruck !

Abhor the sword—stigmatise the sword ? No, my lord, for, at its blow, a giant nation started from the waters of the Atlantic, and by its redeeming magic, and in the quivering of its crimson light, the crippled colony sprang into the attitude of a proud republic—prosperous, limitless, and invincible !

Abhor the sword—stigmatise the sword ? No, my lord, for it swept the Dutch marauders out of the fine old towns of Belgium—scourged them back to their own phlegmatic swamps—and knocked their flag and sceptre, their laws and bayonets, into the sluggish waters of the Scheldt.

My lord, I learned that it was the right of a nation to govern herself—not in this hall, but upon the ramparts of Antwerp. This, the first article of a nation's creed, I learned upon those ramparts, where freedom was justly

estimated, and the possession of the precious gift was purchased by the effusion of generous blood.

My lord, I honour the Belgians, I admire the Belgians, I love the Belgians, for their enthusiasm, their courage, their success, and I for one, will not stigmatise, for I do not abhor, the means by which they obtained a Citizen King, a Chamber of Deputies——

At this point Mr. John O'Connell won the equivocal place he since holds in the history of the Repeal movement by interrupting the speaker. The sentiments Mr. Meagher avowed were, he declared, opposed to those of the founder of the Association, and that, therefore, the Association must cease to exist, or Mr. Meagher must cease to be a member of it.

Smith O'Brien here intervened with a grave warning and an allusion to the ugliest characteristic of modern Irishmen:—"Remember this, gentlemen—and it is fit you should remember it—for the proceedings this day are an event in Irish history. You are charged with being a people who will never give fair play to an adversary. You are charged with being willing slaves to any despot who may obtain the reins of power at a particular moment. This is the charge against the Irish people. I entertain a different opinion of them. I should designate as a calumniator the man who would give you such a character; but I ask you, are you now going to fortify, as far as regards this assembly, the assertion of your enemies, by putting down the man who is endeavouring calmly and dispassionately to discuss a question to which he was invited—which he was compelled to discuss? If this discussion be terminated, I shall have the satisfaction of entering my protest against the proceedings which put down Mr. Meagher on the present occasion."

John O'Connell retorted that the question was not should a young man be put down; but should the young man put down the Association? It was a question between the founder and certain objects; if the members would not stand by the founder, let them adopt other resolutions and another leader.

Meagher and his friends left the hall, the secession had taken place. Within a few months the Repeal Association was moribund and the "Whig compact" doing its work on a divided nation.

## THE REV. MR. CAHILL.

### "DOWN WITH THE POPE."

When Lord John Russell was endeavouring to break the newly formed union between North and South by an appeal to sectarianism, his policy was thus criticised by Mr. Cahill.

"Down with the Pope," but will that revive the six hundred victims that were flung coffinless into one monster grave at Skibbereen? Yes, down with the Pope! but will that raise up from their crumbled ruins the 17,865 houses which the exterminators in two short years have levelled in the dust? Down with the Pope! but will that give food or drink or raiment to those wretched outcasts of landlord barbarism who are sucking subsistence from the rotten turnip—who are burning with fever in some roofless shed—without a drop to cool their parched lips, or who are wet with the dew and rains of Heaven—as they crouch without shelter or covering amid the scattered fragments of their once loved homes? Down with the Pope! but will that clear our roadstead of those ships which are sweeping away the strength, and bone, and wealth of our country, or bring back those hapless exiles who roam by the stagnant swamps, and over the torrid plains and desolate prairies of a distant land, cursing the laws that drove them from the green fields they never again will see? . . . . .



The policy will fail.

We have drawn around it the circle of charity which discord cannot enter. In this blessed union we have found our cure and our remedy. It will force you and your successors to treat us with respect and govern us with justice—it will muzzle the bloody jaws of ravening landlords. It will not revive the dead, but it will save the living ; and in the words of Davis, by its magic influence, in spite of landlords and Government, we will win the rights which we seek—

Landlords fooled us

England ruled us,

Hounding us on to make us their prey ;

But in their despite the Irish unite,

And Orange and Green

Will carry the day.

## THE MANCHESTER MARTYRS.

The rescue of Colonel Kelly and Captain Deasy while they were being conveyed to Salford gaol, near Manchester (September 18th, 1867), is one of the most stirring episodes of the Fenian movement. The accidental shooting of a police sergeant in charge was made the pretext for executing three young men who had taken part in the affair—William Philip Allen, Michael Larkin, Michael O'Brien. They were "tried" and found guilty, November 1st. The conduct of the trial was in strict accord with the traditions of English law when applied to Irish patriots. The behaviour of the crowd which gathered about Salford prison on the night preceeding the day of execution showed how the three Irishmen were victims to the blood-lust of the moment. Some of the songs which the waiting mob bawled were so British that the very police on guard, in sheer human revulsion, drove the singers to some distance from the gaol.

### WILLIAM PHILIP ALLEN.

"No man in this court regrets the death of Sergeant Brett more than I do, and I positively say, in the presence of the Almighty and ever-living God, that I am innocent; aye, as innocent as any man in this court. I don't say this for the sake of mercy: I want no mercy—I'll have no mercy. I'll die, as many thousands have died, for the sake of their beloved land, and in defence of it. I will die proudly and triumphantly in defence of republican principles and the liberty of an oppressed and

enslaved people. Is it possible we are asked why sentence should not be passed upon us, on the evidence of prostitutes off the streets of Manchester, fellows out of work, convicted felons—aye, an Irishman sentenced to be hanged when an English dog would have got off. I say positively and defiantly, justice has not been done me since I was arrested. If justice had been done me, I would not have been handcuffed at the preliminary investigation in Bridge Street; and in this court justice has not been done me in any shape or form. I was brought up here and all the prisoners by my side were allowed to wear overcoats, and I was told to take mine off. What is the principle of that? There was something in that principle, and I say positively that justice has not been done me. As for the other prisoners, they can speak for themselves with regard to that matter. And now, with regard to the way I have been identified. I have to say that my clothes were kept for four hours by the policemen in Fairfield station and shown to parties to identify me as being one of the perpetrators of this outrage on Hyde Road. Also in Albert station there was a handkerchief kept on my head the whole night, so that I could be identified the next morning in the corridor by the witnesses. I was ordered to leave on the handkerchief for the purpose that the witnesses could more plainly see I was one of the parties who committed the outrage. As for myself, I feel the righteousness of my every act with regard to what I have done in defence of my country. I fear not. I am fearless—fearless of the punishment that can be inflicted on me; and with that, my lords, I have done.”

(After a pause).:—“ I beg to be excused. One remark

more. I return Mr. Seymour and Mr. Jones my sincere and heartfelt thanks for their able eloquence and advocacy on my part in this affray. I wish also to return to Mr. Roberts the very same. My name, sir, might be wished to be known. It is not William O'Meara Allen. My name is William Philip Allen. I was born and reared in Bandon, in the County of Cork, and from that place I take my name; and I am proud of my country, and proud of my parentage. My lords, I have done."

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### MICHAEL LARKIN.

"I have only got a word or two to say concerning Sergeant Brett. As my friend here said, no one could regret the man's death as much as I do. With regard to the charge of pistols and revolvers, and my using them, I call my God as witness that I neither used pistols, revolvers, nor any instrument on that day that would deprive the life of a child, let alone a man. Nor did I go there on purpose to take life away. Certainly, my lords, I do not want to deny that I did go to give aid and assistance to those two noble heroes that were confined in that van—Kelly and Deasy. I did go to do as much as lay in my power to extricate them out of their bondage; but I did not go to take life, nor, my lord, did anyone else. It is a misfortune there was life taken; but if it was taken it was not done intentionally, and the man who has taken life we have not got him. I was at the scene of action, when there were over, I dare say, 150 people standing by there when I was. I am very sorry I have to say, my



lord, but I thought I had some respectable people to come up as witnesses against me ; but I am sorry to say as my friend said—I will make no more remarks concerning that. All I have to say, my lords and gentlemen, is that so far as my trial went, and the way it was conducted, I believe I have got a fair trial."

He evidently alluded to the exertions of his counsel and solicitor, whom he thanked. He concluded with a curiously fatalistic reference to his belief in the old saying, " what is decreed a man in the page of life he has to fulfil, either on the gallows, drowning, a fair death in bed, or on the battle-field."

" So I look to the mercy of God. May God forgive all who have sworn my life away. As I am a dying man, I forgive them from the bottom of my heart. God forgive them."

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### MICHAEL O'BRIEN.

" I shall commence by saying that every witness who has sworn anything against me has sworn falsely. I have not had a stone in my possession since I was a boy. I had no pistol in my possession on the day when it is alleged this outrage was committed. You call it an outrage, I don't. I say further my name is Michael O'Brien. I was born in the county of Cork and have the honour to be a fellow-parishioner of Peter O'Neal Crowley, who was fighting against the British troops at Mitchelstown last March, and who fell fighting against British tyranny in Ireland. I am a citizen of the United States of America, and if Charles Francis Adams had done his duty towards me, as he ought to do in this country, I should not be in this dock answering your questions now. Mr.

Adams did not come, though I wrote to him. He did not come to see if I could not find evidence to disprove the charge, which I positively could, if he had taken the trouble of sending or coming to see what I could do. I hope the American people will notice this part of the business."

The speaker continued reading from a paper he held :

"The right of man is freedom. The great God has endowed him with affections that he may use, not smother them, and a world that may be enjoyed. Once a man is satisfied he is doing right, and attempts to do anything with that conviction, he must be willing to face all the consequences. Ireland, with its beautiful scenery, its delightful climate, its rich and productive lands, is capable of supporting more than treble its population in ease and comfort. Yet no man, except a paid official of the British Government, can say there is a shadow of liberty, that there is a spark of glad life amongst its plundered and persecuted inhabitants. It is to be hoped that its imbecile and tyrannical rulers will be for ever driven from her soil amidst the execrations of the world. How beautifully the aristocrats of England moralise on the despotism of the rulers of Italy and Dahomey—in the case of Naples with what indignation did they speak of the ruin of families by the detention of its head or some loved member in a prison. Who has not heard their condemnations of the tyranny that would compel honourable and good men to spend their useful lives in hopeless banishment ?

To have observed this aspect of British foreign policy, at that time, indicates no small degree of intelligence on the part of the speaker. The court recognising this, intervened with a warning "entirely

for Mr. O'Brien's sake." The effort to divert attention from British philanthropy was not successful.

"They cannot find words to express their horror of the cruelties of the King of Dahomey because he sacrificed 2,000 human beings yearly, but why don't those persons who pretend such virtuous indignation at the misgovernment of other countries look at home, and see that greater crimes than those they charge against other governments are not committed by themselves or by their sanction? Let them look at London, and see the thousands that want bread there, while those aristocrats are rioting in luxuries and crimes. Look to Ireland; see the hundreds of thousands of its people in misery and want. See the virtuous, beautiful and industrious women who only a few years ago—aye, and yet—are obliged to look at their children dying for want of food. Look at what is called the majesty of the law on one side, and the long deep misery of a noble people on the other. Which are the young men of Ireland to respect—the law that murders or banishes their people or the means to resist relentless tyranny, and ending their miseries for ever under a home government? I need not answer that question here. I trust the Irish people will answer it to their satisfaction soon. I am not astonished at my conviction. The Government of this country have the power of convicting any person. They appoint the judge; they choose the jury; and by means of what they call patronage (which is the means of corruption) they have the power of making the laws to suit their purposes. I am confident that my blood will rise a hundredfold against the tyrants who think proper to commit such an outrage. In the first place, I say I

was identified improperly by having chains on my hands and feet at the time of identification, and thus the witnesses who have sworn to my throwing stones and firing a pistol have sworn to what is false, for I was, as those ladies said, at the jail gates. I thank my counsel for their able defence, and also Mr. Roberts, for his attention to my case."



## A. M. SULLIVAN (1830-1884).

## ON THE IRISH NATIONAL DEMANDS.

HOUSE OF COMMONS.

(January 17, 1878.)

On the opening of Parliament. The Amnesty to which Mr. Sullivan alludes was not due to British clemency, but as it was cleverly said, to the Emperor of Russia whose successes against Turkey in the Balkans had terrified England. Amongst the released prisoners it will be remembered were Colour-Sergeant McCarthy and Michael Davitt. The former, a soldier in the English army, having joined the Fenian Association, was imprisoned for life. During twelve years he was carefully broken inch by inch between the wheels of British "justice," Millbank, Dartmoor, Pentonville and Chatham. When freed at the age of 44, he was clearly dying, and indeed expired a few days after liberation, at Morrison's Hotel. The issue of the *Freeman's Journal*, January 22nd, giving a belated report of Mr. Sullivan's speech, contains also an account of the hideous cells in which the political prisoners were immured.

Sir,—The House stands indebted to the hon. and gallant gentleman, the member for Waterford. His motion has broken "the cold chain of silence" that hung over the Government benches, and has elicited from the hon. and learned gentleman (Mr. Plunket) a speech which, whatever its other characteristic, we have all admired for its varied play of humour, eloquence and

ability. He had no need to apologise to the House for the time he was occupied. This is his business, and this of all others the subject, with which the time of the House should most rigidly be occupied. Parliament has been assembled three weeks earlier than usual, and within these three weeks there should be good time for discussing and considering the Irish question—for fully considered and discussed we are fixedly determined it shall be. Mr. Speaker, that hon. and learned gentleman said of the men amidst whom I stand, that they were “masquerading as Home Rulers.” The phrase is not offensive, I suppose, or he would not have applied it; so I may use it too and say that the thing which is really intolerable is to see the grandson of the great Plunket masquerading on the floor of the House as an Imperialist. We are supposed to be concerned just now with the Turkish question. One of the cruellest wrongs which the subject Christians under the Moslem yoke were made to feel was that oftentimes the children of Christian parents were seized and carried into the Turkish camp trained up in Turkish ideas, embraced the faith and the banner of the conqueror and appeared many a time, scimitar in hand, to wage war upon their kindred and their race! Even so, it has been with us in Ireland through many a sad chapter of our country’s history. Sometimes by force, sometimes by guile, sometimes by one influence, sometimes by another, British power has been able to tear away from us children who bore great names and might have greatly served their country; and we have seen these converts as to-night, skilfully set in the forefront of the assault when their countrymen were to be cut down.

Who is our accuser? The voice is the voice of an Irishman. The wit, the ability, the brilliant play of fancy and of genius, the rhetoric, the skill—all, all are Irish, but all are set against Ireland! Who I repeat is our accuser? If we stand here to-night as we do, upon the floor of this House to maintain in the face of the Empire and of Europe the protest of Ireland against the memorable crime that robbed her of her constitutional liberties, whose behests are we fulfilling?—who pledged us to undying faith and eternal war against the crime? The hon. and learned gentleman had the temerity to use a phrase for ever notable in the history of his family when he spoke of men “swearing upon the altar.” Who was that great Irishman, that distinguished Constitutional lawyer, who declared that if the Irish Parliament were successfully overthrown he would bring his child—oh, why did he not say his grandchild?—and swear him upon the altar of his country to wage relentless war against that tremendous wrong? How little did he imagine in that hour that to-night the representatives of Ireland should discover in the ranks of their adversaries the heritor of his great name, and in no small degree of his genius, false to his principles and to his teachings, false to his lineage and his fame?

But, Sir, I turn from the man to his arguments. He drew for us a picture of Ireland. Many years ago O’Connell was defending a sheep-stealer. In his speech to the jury he drew a glowing picture of the prisoner at the bar as a model husband and father (he was not married at all), a dutiful son, an exemplary citizen, virtuous, pious, industrious, inoffensive. At this point the prisoner in the

dock could stand it no longer, and he exclaimed to those around him, "I never knew before that I bore so high a character." Well, Sir, we have heard to-night the defender of British rule in Ireland extolling the virtues and excellences of his client; and well may the prisoner at the bar in this case exclaim, "I never knew I was so beautiful, so virtuous, so meritorious as all that." Only believe the hon. and learned gentleman, and there is not the slightest need of changing anything—the slightest possibility of improving anything—in Ireland. Everything there is already perfect in the matter of government, law and administration. There is not, if you believe him, a more fortunate spot on the face of the habitable globe. It is the home of happiness, peace, prosperity, of beneficent rule and abounding loyalty. Hon. gentlemen opposite cheer. You evidently think so, too. You know all about it. You know Ireland better than we do. You are better entitled to speak for it than we, the Irish majority, are. Are you? But, pray, by what right does your party hold those benches and rule the destinies of England but by the right of a Parliamentary majority? In virtue of a Parliamentary majority you say you are entitled to speak to the world for England, while in virtue of a Parliamentary minority you would claim to speak for Ireland.

But, Sir, the question before the House is much wider, and greater, and more serious than the merits of the Irish "Bills" which the Government has promised. If it were a matter of a better or a worse Grand Jury Law, or a better or a worse Intermediate Education Bill, I, for one, should hesitate to concur in an interposition like



the present. The question we raise is that for which it may be said Parliament has been specially convoked. We have been told in the Royal Speech of a possible danger near at hand, of precautions and preparations that may be necessary for the defence of the power and stability of the Empire. Well, we have come forward to suggest the wisest precaution and the most potential preparation which the Government could make. The matter is glossed over by smooth phrases, but the danger that you all mean is war—a war in which England will have to fight for her very existence as a nation. If that war breaks out, if it be not averted, as I hope it may be, England will find herself in such desperate straits as she has not known for four hundred years. Your army, small, but brave and fearless as ever, will behave with its traditional valour; wherever it may be sent, on whatever field it may fight, the army of this country will exhibit those splendid qualities that have justly given it a world-wide fame. I would say as much for it, even were it not composed as largely as it is of my own brave countrymen. But there is not a military man sitting in this House who does not know and feel the truth of what I say—that a recent memorable war in Europe has demonstrated that courage and prestige no longer compensate as largely as they used to do sixty years ago against overwhelming odds; and that your army of a hundred thousand, or a hundred and fifty thousand men, would be utterly powerless before the hosts that now stand arrayed and disciplined on the Continent of Europe. Should this calamity befall, should this trouble for your existence arise, think you that it is upon inanimate sword and bayonet and ship

and gun, rather than upon stalwart arms and patriotic enthusiasm, your best reliance will be? Should that crisis come, right sure am I that amongst the English masses a patriotic fervour will answer to your call. Throughout England and throughout Scotland it will be so, but will it be so in Ireland? In the spirit of the oath which I swore at that table—nay, higher obligations still, by the duty I owe to conscience and to truth—I dare all misconception and outcry to deliver at this momentous crisis my solemn testimony and belief that if this Empire enters upon a struggle of such magnitude while Ireland is in the attitude which Hungary occupied towards Austria previous to Sadowa, the popular enthusiasm which you will receive in England and Scotland will not respond to you in Ireland. (Cries of “Oh! oh!”) I was prepared for your exclamations, and I do not complain; for the statement I have made is serious, and naturally unwelcome; but time will vindicate the truth of my words and the integrity of my motives.

Twenty or twenty-five years ago there stood upon the floor of this House a band of Irish members, struggling, as we struggle now, to persuade you to listen to Irish demands. Study for yourselves what was their fate; read for yourselves the lesson of that time. They were voted down, they were shouted down, they were laughed at, they were denounced or derided. You had in that day—as you always have—some gifted and eloquent Irishman in your service to get up and do your work against his countrymen—to contradict their testimony, to tell you pleasant tidings which you hailed as gospel truths, while honest warnings of danger were shrieked against as

sedition incentives. John Francis Maguire and others ventured to say in this House, as I say now, that there was danger and disaffection in Ireland. They were set upon angrily as almost traitors. They were contradicted and condemned. This House, by overwhelming voice, declared their testimony untrue, and that Ireland was peaceable, contented and loyal to the core. Alas ! a year or two barely passed when events threw a terrible light on all this. At that very moment my unfortunate countrymen were being sworn in by the thousand in a secret conspiracy for armed insurrection. Barely a few years passed away when the crowded dock, the convict ship, the penal gang, the triangle, and the bloody lash—nay, the scaffold itself—furnished a frightful contradiction to the pleasant testimonies which you preferred to believe ; a frightful corroboration to the warnings you denounced and despised. What happened then ? Like the story of the recent Fenian amnesty which we have heard to-night, measures prayed for in vain in the hour of your tranquillity, when concession would have grace and efficacy, were conceded, amidst public disquietude and almost panic. Writing some six weeks ago to a friend in the north of England—a fair-minded, a kindly-hearted, and a high-principled Englishman—yes, I believe in the existence of such men, not in scores or hundreds, but in hundreds of thousands—I complained of this, and asked how and why it was that English statesmen and politicians should thus put a premium on turbulence and revolt.

Just look what has been the history of any great political measure passed for Ireland in our own generation. The



argument of Catholic Emancipation was exhausted in 1819. Its justice was as patent to all men in 1822 as at any time afterwards ; yet it was resisted and refused until as the Duke of Wellington declared, civil war seemed inevitable. Was not that a mischievous lesson to Irishmen ? The Tithe Question you resisted until our land was reddened with blood. The Church Question and the Land Question—it is a story of recent years. A Land Bill was passed in 1870, after passions had been aroused, hearts broken, homes desolated by the thousand ; after you had filled America with combustible elements that are at this moment a serious menace to England. In that struggle you broke the heart of Lucas, and drove Gavan Duffy into exile—robbed Ireland of the services of a man whose genius and worth you have been glad to recognise at the Antipodes. The Land Bill, prayed for in 1850, was granted in part in 1870, after the terrible tragedy of Ballycohey had startled the Empire. In 1869 you suddenly overthrew the Irish Church, because, as you avowed, of the spread of Fenianism. In the face of the men whose warnings you had angrily resented a few years previously, you came down to this House to concede in an hour of alarm what you had refused in the time of tranquillity. Is this narration true or false ? What do these facts show ? That, by some malign fatality, some calamitous coincidence, if nothing more, you scoff at men, like my colleague and myself, who beseech you to be just in time. You resist concession in time of calm, and yield it only in the face of real or fancied peril. If it be not so, let some one get up to-night, and name for us any great national concession made to Ireland



under any other circumstances. As it has been, perhaps it is still to be. You will complain of my words ; you will say I do not warn but threaten, and you will prefer to believe those who tell you the Irish masses are contented and well-affected, as enthusiastically ready as Englishmen could be to pour out their blood in your defence ; but I dare all risk of temporary misrepresentation and blame.

I look into the future, and can await my vindication. Do not affect to mistake our position in this crisis of the Empire. We are not so many members of a party or a section of this House. We are not so many advocates of this or that Bill. We are the National representation of Ireland, here in overwhelming majority to demand the restoration of Parliamentary rule and Constitutional Government. We are projecting no new proposal, like the friends of this or that great reform or amelioration. We are here to call for the restitution of what we enjoyed and possessed, but which you wrung from us by means held to vitiate and render illegal every public transaction between man and man, between nation and nation. Possession gives you no title to it ; for no time runs against a claim asserted and renewed, as ours has been, from generation to generation. Legally we stand to-day where we stood seventy years ago. Restore to Ireland the reign of law ! It is all she asks as the price of her friendship ;—a price cheap indeed, for it takes nothing from you that belongs to you. The price of her friendship ! You are now, in view of a terrible emergency possibly at hand, searching Europe through for allies. Here we are to-night empowered to offer you one worth

the best you could elsewhere find—the alliance, the hearty friendship, the enthusiastic support of Ireland. I own I have deep reason to wish this question settled, and to see a cordial feeling established between the two countries before dark clouds grow darker, and while yet the reconciliation can be free and generous and efficacious. The peace, the happiness, the tranquillity of Ireland are most dear to me ; and I do not wish to see my country desolated and destroyed by being made, perhaps, a battle-field of the coming struggle. I do not want the ghastly episode of some continental despot making what he would call a diversion in Ireland—wasting the blood and blasting the hopes of my country in a mere stroke of tactics to serve his own ends. I shudder when I think of such a possibility ; and I appeal to you—yes, unchilled by the foregone conclusion of your unwise refusal—I nevertheless raise and record my appeal to you and the English nation to-night to let us clasp hands in friendship on the only terms on which we can be allies or friends. Be simply just. That you will do so yet, despite your customary refusals now, I am as convinced as I am of my own existence. It is the time which, with your customary unwisdom, you may select for such a step that alone disquiets me. Austria tried your present policy towards Hungary, and changed it after Sadowa. I hope and pray you will wait for no such hour to accept the proffered hand and secure the ready aid of the brave and gallant Irish nation.

## LORD RUSSELL OF KILLOWEN

(1832-1900).

The English, through their leading organ, the *Times*, having endeavoured to connect Mr. Parnell and his party with crime in Ireland, and particularly with a futile assassination committed in the Phoenix Park, a special Commission Act was passed in July, 1888, and the Commission sat in the following October. Sir Charles Russell, Q.C., M.P., with Mr. H. H. Asquith, represented Mr. Parnell. The following extracts are taken from his monumental speech which passes in review the tangled history of the agrarian movement and that of the legislation connected with it.

### PARNELL COMMISSION SPEECH.

(October, 1888.)

My Lords,—The sittings of this Commission—this unique Commission—have, up to to-day, reached the number of 63. There have been called before your Lordships in the course of this inquiry some 340 odd witnesses. There have been called, amongst others, 16 District Inspectors of the Royal Irish Constabulary force; 98 members of a subordinate kind belonging to that force; a number of landlords and agents; 18 informers, including some convicts; one Irish priest, one only of the class in the Irish community best acquainted with the circumstances and feelings of that community,

and best able to inform your Lordships as to their circumstances and as to their condition. There have been also called five expert witnesses—experts on the question of handwriting; Captain O'Shea, the informer Delaney, and, I am afraid I must add, Mr. Soames and Mr. MacDonald; and the fifth, Mr. Inglis, called and sworn, but fortunately for Mr. Inglis's reputation, not examined.

My Lords, from these witnesses has proceeded a very large body of evidence, a great part of which I shall have to submit to your Lordships, after argument, and I hope demonstration, is wholly irrelevant to any real question in this case. For this is not an inquiry into the existence of crime, for that is known unhappily to exist in every community in a greater or less degree, and as to agrarian crime in a greater degree in communities like Ireland, cursed with a vicious land system.

My Lords, I cannot but feel in now rising to address your Lordships, that the utter, absolute collapse of the forged letters has taken out of this inquiry its pith and its marrow. It would be idle to affect that your Lordships do not know, what all the world knows, that without those letters there would have been no such Commission as your Lordships are now sitting upon, and that those letters are the only foundations on which rest the most reckless and the most calumniatory of the remaining charges and allegations. Those letters run through the story of the libels in *The Times*, playing the part of the warp in the weaving of these webs of calumny. Even if your Lordships had the power—I presume you have not—even if your Lordships desired, I presume your Lordships could not avoid discharging the duty



which the statute casts upon you, of inquiring into the remaining charges and allegations apart from those letters, and it is to that part of the case, at the outset of my observations, I propose principally to address your Lordships.

My Lords, I would ask you who are the accused before your Lordships? I will tell you. Ireland returns to the Imperial Parliament 102 representatives. Ireland returns these representatives upon the principles on which the Constitution gives the right to return them. She selects her representatives to interpret her wants and her wishes, to please no section of men and no portion of this community, but to represent her. My Lords, of those 102 members, two are returned by the distinguished University of Dublin, Trinity College. Trinity College has been, if I may be permitted to make the observation in passing, always remarkable for returning men of considerable distinction; and it is now represented by two gentlemen of distinction; but it has commonly played the part of a port of refuge or a port of call for distinguished Irish lawyers, of one side of politics, on their way to the more peaceful haven of the woolsack or the judicial bench. Of the remaining 100 representatives returned for Ireland, 85 stand before your Lordships' bar, for although, upon a principle of selection that I do not understand, and do not think it worth while to try and understand, only 65 have been named in these proceedings before your lordships, the whole 85 stand firm and solid on the same public platform. Some may have been more or less active, some may have been, if you please, more or less indiscreet, or more or less discreet, but they are

solid on the general principles upon which they have acted, and their conduct in respect of which is, in part, impugned before your Lordships.

My Lords, there is no county in Ireland from which there is not one or other of the parties for whom I appear sitting as a representative. In three provinces of Ireland they have the entire representation in their hands, and even for the province of Ulster, which some people are disposed to speak of as if it were not part of Ireland, but were something like a suburb of Glasgow, there is a majority of the Irish parliamentary party sitting. My Lords, why do I dwell upon this? To point out to your Lordships that there is, as far as I know, no parallel in history, no parallel certainly in the division of political parties in this country, which presents so complete a picture of preponderating force of representative opinion, represented according to the forms of the Constitution, as is shown in the representation of Ireland to-day. But I have another purpose in mentioning this. I want to try and raise this issue out of that unmethodical heterogeneous mass of detail with which it is at present covered. I want to point out to your Lordships that in truth the attempt is here being made, in which your Lordships are asked to assist, to do what Edmund Burke declared had never been successfully done, to draw an indictment against a whole nation. (Conciliation with America).

I say this for the purpose, not merely of stating what Burke says, but of pointing the meaning of what he says. What does he mean by saying that you cannot indict a nation? He means that when a movement becomes a movement of a whole people, that when there is a great

national upheaval, the ordinary notions and rules of judicature borrowed from the Old Bailey and from Nisi Prius have no relation to such questions ; that you are dealing in a higher region and with a broader issue than any in which the mere ordinary rules of judicature will help you.

My Lords, for ten years, from 1879 to 1889, it is no exaggeration, it is the literal truth, to say that there has been going on in Ireland a great revolution—social partly, political partly. It is the truth to say, even so early I venture to put it, that your Lordships are here to-day trying that revolution under the Queen's Commission, while there are across the Channel, in Ireland, numbers of the Queen's Courts, at least as regularly constituted as this, gathering for the Irish people the fruits of that very revolution.

I have pointed out who the accused here are. Who are the accusers ? The accusers are a company or a co-partnership, or a syndicate, I know not which, called by the public in ordinary parlance *The Times* ; who, if they have been consistent in nothing else, have been consistent in their unrelenting, unvarying hostility to the Irish people, and the cause of the Irish people.

It is now a good many years ago, but the incident is an instructive one, when *The Times*, during the Lord Lieutenancy of Lord Mulgrave, put into its columns these words :—

“It has been proved beyond a doubt that Lord Mulgrave has actually invited to dinner that rancorous and foul-mouthed ruffian, O'Connell.”

We have here in these words the keynote to the mis-



government of Ireland. It is the fashion nowadays to praise O'Connell, and a distinguished Minister of the day, indeed the principal Irish Minister, has gone the length of claiming O'Connell as a supporter of his policy ! But what did the writer mean when he made that complaint against Lord Mulgrave ? Lord Mulgrave was the Queen's Lord Lieutenant in Ireland, charged with the duty of the government of that country, bound—if indeed it be true that governments exist for the good of the people and not for the benefit of the governors—to consult, by the best and every means in his power, the interests, and to regard the wishes of the people over whom he ruled, and yet it is made in the columns of this paper a charge and indictment against him that he has sought companionship with, has sought counsel with, has sought to get some touch-point, and means of contact with popular opinion and feeling in Ireland. It is the want to which I shall have again and again to refer in the course of this case : it is this absence of contact with the people, with the representatives of the people, absence of the means of knowledge of their wants and of their wishes, that has been one of the grievous disasters in Ireland's government in the past, aye, and in the present day.

My Lords, the same paper later, again and again vilified the Irish priesthood—as devoted a body of clergy as probably the world has ever seen—as a band of “surpliced ruffians.” The same paper, later in 1846, again and again exulted in that cruel decimation which an artificial famine had brought on the Irish people, and exultingly exclaimed that “at last the Irish were gone, and gone with a vengeance.” Unhappily for the peace of the country they



were "gone with a vengeance," the fruits of which to-day we are to some extent reaping.

The same paper in 1848 expressed the hope that the Young Ireland rising would be such as would enable the Queen's troops with the Queen's artillery to mow down the Queen's subjects in Ireland wholesale. Lastly, and in comparatively recent days, speaking of the emigration from Ireland draining the manhood of the country, and leaving behind in undue proportions the old and the feeble, it likened that stream of emigration across the Atlantic to the passage of rats from an empty ship in dock to a laden and freighted ship—the passage from one to the other by the hawser which joined them together.

. . . . .

My Lords, I have dwelt upon this perhaps longer than may have seemed to be necessary, but I cannot shut my eyes to the fact that the columns of *The Times* supply the daily mental pabulum which feeds a large proportion of the governing classes of this country. . . . . But in this reference I have one consolation. It is the recollection of the fact that it has been the fate of *The Times* to help forward to success every cause it has opposed. Nor are these my words. They are the words of one of the greatest Statesmen of our time, now dead. I mean Richard Cobden, who says :—

"By its truculent—I had almost said ruffianly—attack on every movement while in the weakness of infancy, it has aroused to increased efforts the energies of those it has assailed ; while, at the same time, it has awakened the attention of a languid public, and attracted the sympathy of fair and manly minds. It is thus that such public

measures as the abolition of the corn laws, the repeal of the taxes on knowledge, the negotiation of the treaty of commerce with France, triumphed in spite of these virulent, pernicious and unscrupulous attacks, until at last I am tending to the conviction that there are three conditions only requisite for the success of any great project of reform—namely, a good cause, persevering advocates, and the hostility of *The Times*."

This is the accuser.

What are the accusations? At this stage I am not going to deal with them in detail; that I will do at a later time, and when I do I shall take them, not with the milder gloss which occasionally the language of the Attorney-General has sought to put upon them, but I shall take them from their original source, as they originally appeared, as they were intended to be understood, as they were understood. For my present purposes, my Lords, it is enough to say that the accusations may be broadly stated thus: That the movement in Ireland was carried on by its leaders by means of an organised and paid system of murder and outrage, which such leaders carefully calculated upon and coolly applied; that they aided with money, and otherwise, the flight of criminals from justice; and that the public denunciations of crime, including the Phoenix Park murders, which were uttered, by them, were lying, false, and hypocritical.

Need I point out, if I have rightly stated those charges, that those are charges of the gravest criminal significance? This is no charge of moral responsibility for crime, incidental to a great public and national movement and

organisation. It is a deliberate charge of systematically, coolly calculating and deliberately applying a system of murder and of outrage, and I have to ask the question : If, as I cannot doubt, I have rightly stated the case, why did not the Government prosecute ? Why are we here before your Lordships' Court instead of standing in the dock at the Old Bailey, if a dock large enough could be obtained ? And why were we not standing years ago in that position ? . . . . . Why is it that this case is being conducted at the instance of what I may call for this purpose a private prosecutor ?

My Lords, the only answer that can be given. . . . is because the advisers of the Government . . . . did not believe that there was any just, real, tangible ground for making criminal charges against those members.

How was the case conducted ?

Why, my Lords, Lincoln's Inn Fields has at times presented much the appearance of a camping ground for that military force known as the Royal Irish Constabulary, collecting to form the *posse comitatus* of a sheriff on his way to a great eviction scene. . . . We have had, "thick as leaves in Vallambrosa," district inspectors and magistrates crowding even the very benches where the Counsel of the Queen sit, aiding, helping, and suggesting the conduct of this case. We have had magistrates assisting and taking evidence, and policemen seeing witnesses personally—personally conducting them, buying their tickets, paying their conduct-money. . . . We have secret spies enlisted in their service, and we have had the gaols of the country, the gaols of the kingdom, scoured to see, whether from the refuse, there



might not be produced witnesses who will do some little bit of dirty work in trying to defame and to blacken the character of the Irish Parliamentary Party. This is a serious thing, more serious than I thought it to be when, as I have only recently learned, this was done not merely by the Walkers, and the Thompsons, and the Shannons, but done by police officers in considerably high authority, and done even by that wretched man to whose name I must hereafter refer—I mean Pigott—all these people going to these gaols in the character of friends of the convicts, and going as though to pay friendly visits which the rules of the prison enabled to be paid, to break the dreary monotony of their convict life! . . . A man sentenced to twenty years' penal servitude, character lost, separated from wife and children and kinsfolk, is visited, is told that he may have the opportunity of coming and giving evidence, is asked whether he knows anything to incriminate Mr. Parnell or Mr. Parnell's colleagues; for I suppose the visitor would hardly be a more careful emissary than Mr. Houston was when he gave that famous commission to Richard Pigott, to see whether he could or could not obtain documents incriminating Mr. Parnell and others. And, my Lords, without any vulgar temptation, without even suggestion of possible benefit, eager hope in the wretched convict's mind would conjure up a picture, and he would believe that if he could give evidence, valued by those who approached him, the prison doors might earlier be opened for him, and the light of God's heaven shine upon him, and he might see once more his friends, his kinsfolk, his children, from whom he was so separated. My Lords, with those temptations, tried



as one cannot doubt, with the facts we know, again and again, it is a marvel not that the man Delaney has come and said what he did, but that he has not been able to say more, and that none others have been found of the scourgings of the gaols to come and add their story to this tale of infamy and calumny.

MR. PARNELL.

Now, my Lords, I ask this question : Is it to be expected that, in invoking aid to such a movement as this, Mr. Parnell was to require a certificate of previous political conduct from each man who came into his movement ? Was he to require some kind of test oath from the man who came into a movement perfectly open, perfectly legal, perfectly justifiable in its objects—objects which have since become part of the policy of the Government of the day—that he was to inquire and be expected to search into the previous history and character of these men ? He would be more than human, he would be less than a leader, to take any such course as that. Was he to refuse their assistance in money ? The taunt has often been levelled, scornfully levelled, at the Irish Party because of their poverty, and because they had to rely in great measure upon the help and support of the scattered kindred of their nation in other countries. Was he to refuse their help ? Was he to say to them—you are giving me this money for a purpose, for an organisation over which I have control, yet I decline to receive it because you whose hands present it to me, have been mixed up in previous, or may now be concerned in some political scheme with which I have no sympathy, and in which I

can take no part? Did the Irish landlords scorn American money? Did the Irish landlords, when money was coming in hundreds of thousands, as it has come, from the sons and daughters of the farmers left behind in Ireland, helping them to eke out a miserable existence at home, helping them to discharge the burden of oppressive rents which they could not make out of the land—in those days did the landlords scorn the American money which came from these sources, and which went into their pockets?

Your Lordships have heard the evidence of one interested witness, whose evidence I regard, in one branch at least of it, as the most important to the right understanding of Mr. Parnell's position that has yet been presented in this court—I mean the evidence of the spy, Le Caron, or Beach. Your Lordships have already heard from him of certain unconstitutional movements with which the Irish in America have been mixed up—the raid on Canada, the Fenian movement—of the strength and the breadth of which your Lordships have even yet had no adequate idea presented to you. When Le Caron tells us that the U.B. or V.C., or whatever it is to be styled, in 1885 had dwindled down to something like 10,000, but after the rejection of Mr. Gladstone's policy of reconciliation, as it has been called, rose again to 24,000 in the years 1886 and 1887, and is to-day more powerful at those figures than it has been before, how ridiculous and puny such an organisation seems side by side with the Fenian organisation, which, at the very lowest computation, in America had, in 1865-66, numbered between 200,000 and 300,000!

My Lords, Mr. Parnell will receive credit in due time. The gratitude of communities to public men is often melancholy in its retrospectiveness. It is not always that the merits of men are recognised in the day in which they live and in which they act. Their motives are misconstrued. Their aims are misrepresented. And within the last few days we have had a notable example of what one may call the posthumous gratitude of a nation, when by the grave of one of the greatest men whom this generation has seen in England, the loudest and shrillest notes in the caoine of mourning which went up, came from men who had spent their lives in denouncing the character, in vilifying the motives, and in doing all they could to bring infamy upon the head of that distinguished man, John Bright.

History is full of examples such as that. And I doubt not that the day will come when, through the mists and prejudice which now surround his actions and public life, Mr. Parnell will be recognised as having played the part of a statesman, and, though working for and in the name of Ireland, as having rendered true and loyal service to England by bringing about something like a reconciliation between two peoples who have been kept apart, but between whom there never has been, and is not to-day just cause of quarrel or of difference.

#### BOYCOTTING.

My Lords, in this matter of boycotting, may I be forgiven for using the celebrated exclamation of Dr. Johnson, and say : " Let us clear our minds of cant." Boycotting has existed from the earliest times that human society



existed. It is only a question of degree. Up to a certain point, boycotting is not only not criminal, but I say is justifiable and is right. For what does boycotting mean? It means the focussing of the opinion of the community in condemnation of the conduct of an individual of that community who offends the general sense of propriety, or offends against its general interests. Is there no boycotting at the Bar? Is there no boycotting in the other professions? Is there no boycotting in the Church? Is there no boycotting in politics? Is there no boycotting of tradesmen in election times? What is the meaning of "Sending a man to Coventry?" I say that is boycotting. I am not justifying intimidation, I am not justifying force, I am not justifying violence in connection with it; those are different things—I am talking of an act of moral reprehension called boycotting, and I say it always has existed and always will exist.

My Lords, if I were to search ancient records, historical, sacred records, I could point to many instances of boycotting; but I need not go far back. We have had in our days very remarkable instances, not only of boycotting, but effective and useful boycotting. What was the action of our great Colonies when the ill-judged policy of this country sent them the criminal population, the offscouring of the old world, as the rotten seed from which their fresh population was to spring. What did they do? Why, they simply boycotted the Government officials in Australia. The most notable instance of all was in the Cape Colony, where they boycotted the governor, declined to serve him, declined to supply him with horses, declined to supply him with provisions until the



objectionable ship, which was importing and seeking to land the offscourings of this nation, took its wretched burthen to another place.

### THE AMERICAN CONNECTION.

I now come to the American branch of the question ; and, in connection with that American branch I think it will be convenient to weave into the narrative, so that your Lordships may have it connected with reference to the story of the American conventions, the story told by Le Caron as to the action of the secret body with which he was associated. This American branch of the question cannot fail to raise in your Lordships minds and the minds of thoughtful persons some very grave considerations.

The population of America, in that vast Continent is a community reaching the figures of between 60,000,000 and 70,000,000 of human beings ; of that number some 15,000,000 or 16,000,000 are Irish, or of Irish descent. How comes it that, at least until comparatively recent days, that vast multitude of persons were imbued, as undoubtedly they were imbued, with deep feelings of resentment to the government of the land they had left ? That it is so is a fact, a pitiab!e fact. My Lords, the explanation is to be found in the story of that misunderstanding, misgovernment, misrule with which I have been obliged to trouble you. Emigration from Ireland has been, not the voluntary and healthy exodus of a people seeking in fresh fields of enterprise new careers in life, new fields for profitable employment of their industrious labour, in great part at least it has not been of that character ; they have felt and they have had cause to feel, that a great part of the

emigration from Ireland, especially in its earlier years, has not been voluntary emigration ; that they have been deported, not emigrated ; that they have been driven from the country to which they were heartily attached.

My Lords, anyone who has visited America, and who has had the singular pleasure of sailing up that noble bay which leads to New York, and of passing before he landed, under Brooklyn Bridge, sees a sight which, if he be an Irishman, fills him with some humiliation and certainly tends to sadden the mind, and take away that feeling of pleasurable exhilaration with which one looks forward to the contemplation of new and unknown scenes. For on the hillsides of New York his attention is drawn to a collection of huts as miserable as any to be seen in Galway or Mayo. What are they ? What is their history ? What purpose have they served ? My Lords, they have served as squatting refuges for the wretched creatures who have been landed upon the hospitable—for they have been hospitable shores to the Irish race—on the hospitable shores of America, but who have arrived penniless, unprovided for, with no provision for their employment, and who have been compelled to seek refuge in these wretched huts until some kind of honest employment can be found for them.

The whole story of emigration is enough to account for the feeling with which it is regarded by a large mass of the population of Ireland. I have referred to these squatter huts. I might refer to the stories told to this day of the hospitals of New York, of the wards ; some of them named after landlords from whose estates men and women and children have been driven ; named after those land-

lords because of the deaths, the disease, the misery that have been imported into them.

My Lords, the Irish are mainly an agricultural population; yet so little forethought for their future was shown, so little consideration for their future lives, that in the absence of any location where such agricultural knowledge as they possessed might be utilised, they have in the main gravitated to and been found in the large towns.

My Lords, their exodus has been like that of the Israelites when they were seeking to escape from the Egyptian bondage. They have, like them, made their way to "a good land and a large"; but there was no Moses to guide them; and to them America has not proved "a land flowing with milk and honey," for as to the greater proportion of them, their lot has been hard. The story of emigration of those days, and even of recent times, has other, and even greater aspects; the demoralisation of youth; the loss of that chiefest treasure of many a guileless girl; the ill-provision in emigrant ships of former days when inspection was not as it has been in recent times; emigration in rotten ships, such as too often proved the coffins and graves of intending emigrants.

My Lords, it is not remarkable from these considerations and under such conditions as these, and with such associations as these facts recall, that the Irish should look with distrust upon emigration, and should have brought with them to America feelings not kindly to the government which they believed had driven them away. Their emigration has been mainly neither the emigration of the family group nor of the village community, but it has been the emigration of the unit of the family, of the young man,



or the young girl, away from the influence of friends, away from the influence of family, and the community amongst which they lived. And, therefore, it is not remarkable that they have not yet achieved that position which their energy and their intelligence I hope, will accomplish for them. They are to-day, I regret to say it, too much the Gibeonites in the labour theatre of the world.

My Lords, in these considerations is it to be wondered at that the Irish should have entertained the strong and resentful feelings which unquestionably they have? Nay, is it not remarkable. . . . that under impulses and teachings for which I take credit on behalf of those I represent, they have in these later times linked their strength, given their money, combined their energies to ameliorating the condition of their kindred in Ireland by open methods of constitutional redress. My Lords, I could not better express the feeling which was entertained during the Fenian movement in America, than by recalling the celebrated expression of one of the distinguished children of Ireland at that time, for I am happy to say that Ireland has contributed to America distinguished men, and among them several of the Signatories of the Declaration of Independence. She has given statesmen, generals, soldiers to the American army; and one of those, General Sheridan, whose genius is described by Lord Wolseley as one of the most remarkable the world has known, is reported to have said at that time: "An American by birth, I love liberty; an Irishman by descent, I hate oppression; and if I were in Ireland, I should be a Fenian."



## TWO PARTIES IN IRELAND.

My Lords, there are two parties in Ireland, and two parties only in Ireland. There is the party which desires that the law, the government, the administration shall be in accordance with the wants and the wishes of the majority of the people of Ireland; that is one party. There is another party who affect to believe, many of them I am sure honestly believe, that they are very much better judges of what the interests of the people of Ireland demand than are the majority of its people. The former party may be called the Nationalist party, the latter goes by various names. Sometimes it is the party of the "respectable class." Sometimes it is the party of the "loyal minority." Sometimes it is the party of "law and order." My Lords, loyalty, law, order are terms which have been much misapplied, much misused in Ireland. The essential differences between the two parties are these. First, that the majority of the nation look for their support, for their impulse, from the people of Ireland, and that the other party look for their support and influence, not to the people amongst whom they live, but to forces external to Ireland.

My Lords, I have come to an end. . . . I have spoken not merely as an advocate. I have spoken for the land of my birth. But I feel, and profoundly feel, that I have been speaking for and in the best interests of England also, where my years of laborious life have been passed, and where I have received kindness, consideration, and regard, which I shall be glad to make some attempt to repay.

My Lords, my colleagues and myself have had a responsible duty. We have had to defend not merely the leaders of a nation, but the nation itself. To defend the leaders of a nation whom it was sought to crush ; to defend a nation whose hopes it was sought to dash to the ground. This inquiry intended as a curse, has proved a blessing. Designed, prominently designed, to ruin one man, it has been his vindication.

**CHARLES STEWART PARNELL**

(1846-1891).

AT NAVAN—September 24, 1876.

No amount of eloquence could achieve what the fear of an impending insurrection—what the Clerkenwell explosion and the shot into the police van had achieved.

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**DEBATE ON VOLUNTEERS FOR IRELAND.**

June 13, 1878.

There is no desire to attribute cowardice to the English soldier, but it is a common saying that in the day of battle the Irish regiments go first to break the line, the Scotch follow to take the prisoners, and the English come last to pick up the booty, which probably accounts for their having been able to acquire wealth more than the people of Ireland. It is unjust to refuse Ireland the right of defending herself while she is compelled to contribute to the defence of England.

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AT LIMERICK.—August 31, 1879.

"The Land for the People."

It is the duty of the Irish tenant farmers to combine amongst themselves and ask for a reduction of rent, and if

they get no reduction where a reduction is necessary, then I say that it is the duty of the tenant to pay no rent until he gets it. And if they combined in that way, if they stood together, and if being refused a reasonable and just reduction, they kept a firm grip of their homesteads, I can tell them that no power on earth could prevail against the hundreds of thousands of the tenant farmers of this country. Do not fear. You are not to be exterminated as you were in 1847, and take my word for it, it will not be attempted. You should ask for concessions that are just. Ask for them in a proper manner and good landlords will give these conditions. But for the men who had always shown themselves regardless of right and justice in their dealings with these questions, I say it is necessary for you to maintain a firm and determined attitude. If you maintain that attitude victory must be yours. If when a farm was tenantless, owing to any cause, you refuse to take it, and the present most foolish competition amongst farmers came to an end, as undoubtedly it now must, these men who are forgetful of reason and of common sense must come to reconsider their position. I believe that the land of a country ought to be owned by the people of the country. And I think we should centre our exertions upon attaining that end.

. . . . When we have the people of this country prosperous, self-reliant, and confident of the future, we will have an Irish nation which will be able to hold its own amongst the nations of the world. We will have a country which will be able to speak with the enemy in the gate—we will have a people who will understand their rights, and, knowing those rights, will be resolved



to maintain them. We must all have this without injustice to any individual.

## MEETING OF IRISH PARLIAMENTARY PARTY, DUBLIN.

May 18, 1880.

I am one of those who believe that you will never be able to carry out the principle of partnership in land. The landlords have been placed there under the feudal system of land tenure. This system has, perhaps, worked well on the whole in England, and England may be presented as the example of a country where the feudal system has been attended with less evil than in any other country. I think Ireland may equally well be represented as the example of a country where the feudal system has been attended with most mischief and suffering. It is admitted on all hands that the system is a false one. What hope then can we have in perpetuating such a system in Ireland. I believe the attempt to be perfectly hopeless, and believe that is one of the reasons why this question of land tenure has made so little progress. It is because you have been proceeding on false lines, because you have been talking about the mutual interests of landlord and tenant in the land, where it is impossible that their interest should be a mutual one. . . . There is another and a greater reason why I think that land reformers ought to strike at the root of the land evil : that is, the system of landlordism. I speak now from the national

point of view in the highest sense of the word. There can be no doubt that one of the reasons, and the greatest reason, next to the religious question, which now I hope no longer exists, the greatest reason why the upper, and many of the middle classes in Ireland—I speak more especially of the Protestant body, to which I belong myself—have remained aloof from the National operations of Ireland, and have refused to give them assistance, has been the institution of landlordism. You cannot expect the landlords of Ireland to strike for the rights of Ireland as long as you supply them with every inducement for the maintenance of the English system of government here by upholding this land system.

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AT ENNIS.—September 19, 1880.

[Boycotting defined and defended.]

Now what are you to do to a tenant who bids for a farm from which another tenant has been evicted? (Several voices—"Shoot him.") I think I heard some say, "Shoot him." I wish to point out to you a very much better way, a more Christian and charitable way, which will give the lost man an opportunity of repenting. When a man takes a farm from which another man has been evicted you must shun him on the roadside when you meet him; you must shun him in the streets of the town; you must shun him in the shop; you must shun him in the fairgreen, and in the marketplace, and even in the place of worship by leaving him alone, by putting him into a moral Coventry, by isolating him from the rest of

his country as if he were the leper of old—you must show him your detestation of the crime he has committed. If you do this you may depend on it there will be no man so full of avarice, so lost to shame, as to dare the public opinion of all right-thinking men in the country and transgress your unwritten code of laws.

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AT FINTONA.—September 2, 1881.

. . . . Remember there is no finality in politics, and that the politician who tells you to stand is effete. The progress of the people is ever marching on.

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AT WEXFORD.—October 9, 1881.

. . . . No man is good in Ireland until he is dead and unable to do anything more for his country. In the opinion of an English statesman no man is good in Ireland until he is dead and buried, and unable to strike a blow for Ireland. Perhaps the day may come when I may get a good word from English statesmen, as being a moderate man, after I am dead and buried.

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THE PARNELL NATIONAL TRIBUTE.

December 11, 1883.

As an Irishman, I have no doubt in common with many thousands of my countrymen, I

looked around me : I saw the artisan in the towns struggling for a precarious existence, with a torpid trade, with everything against him : I saw the Irish tenant farmer trembling before the eye of his landlord, with the knowledge that in that landlord's power rested the whole of the future of himself and of his family : that his position was literally no better, physically not so good, as the lot of the South African negro : that he was endeavouring to make both ends meet, that his life was a constant struggle to keep the roof over his head and over the heads of his family by the most grinding and pinching self-denial. I saw, as you have all seen, the Irish labourer, whose lot even to this day has been but very little improved, and for whom there is now also I trust a ray of light and hope dawning. I saw the Irish labourer the lowest of the low, the slave of the slave, with not even a dry roof over his head, with the rain from heaven dripping upon the couch on which he was forced to lie : dressed with rags : subsisting on the meanest food : and whether I looked upon one side of the social system or upon the other side, irresistible conviction was borne back upon me that here was a nation carrying on its life, striving for existence, striving for nationhood under such difficulties as had never beset any other people on the face of Europe. Many of us saw these things. To many of us the same thoughts occurred. And some years ago we resolved—and I am proud and happy to say that at this board to-night there are many present who joined in that resolve—that these things should no longer be if we could help it. And the historian of the future will say for the Land League movement, if he be



unprejudiced and faithful, that never was there such an infamous and horrible system—a system which even the British Parliament and the influence and laws of England have already partially admitted to be a gigantic system of robbery and fraud—that never was there a movement formed to contend against such a system with so much odds against it, in the carrying out of which I will not even say in connection with which, but in association with which there was so much moderation and discretion and such an utter absence of crime and of the strong passions which agitate men. . . .

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AT CORK.—January 21st, 1885.

. . . It is given to none of us to forecast the future and just as it is impossible for us to say in what way or by what means the National question may be settled—in what way full justice may be done to Ireland—so it is impossible for us to say to what extent that justice should be done. We cannot ask for less than the restitution of Grattan's Parliament, with its important privileges, and wide and far-reaching constitution. We cannot, under the British Constitution, ask for more than the restitution of Grattan's Parliament, but no man has a right to fix the boundary of the march of a nation. No man has a right to say, "Thus far shalt thou go, and no further"; and we have never attempted to fix the *ne plus ultra* to the progress of Ireland's nationhood, and we never shall. . . .

AT PORTSMOUTH, AFTER THE DEFEAT OF  
MR. GLADSTONE'S HOME RULE BILL.

(June 25, 1886.)

. . . . Untold is the guilt of that man who, for party purposes, does not take advantage of the spirit which is abroad amongst the English to put the hand of the Irish into that of the English to close the strife of centuries—a strife that has been of no advantage to the people of either country ; a strife that has only been for the benefit of the money-grabbing landlords ; a strife that has impeded popular progress in England as well as in Ireland, and that must continue to impede it ; a strife which is fanned for the purpose of cheating you out of your rights, and to divert the energies of the newly enfranchised masses of Great Britain from the redress of their grievances to the odious task of oppressing and keeping down the small sister country.

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ON A COERCION BILL IN THE HOUSE OF  
COMMONS.

(April 18, 1887.)

Possibly some faint sense of the abject meanness of the *Times* libel and of the subsequent trick in the House, may account for the fact that Mr. Parnell's explanation was heard, in attentive silence the principal point having been gained, that of securing for the forgery a good start.

The speech itself was delivered during the debate on the

Amendment of Sir Bernhard Samuelson to the second reading of the Coercion Bill. A division being taken, the Amendment was defeated by a majority of 101.

Sir,—The right hon. gentleman (Mr. A. J. Balfour) refrained from answering the speech which I delivered on the first reading of this Bill, and the Government refused to allow the adjournment of the debate, in order that some other member of the Government should have an opportunity of answering it the next day; and now, upon the second reading of this Bill, he goes back to the speech, and he attempts an answer to it, at a time of the night when he knows perfectly well that no reply can be made to him; and with characteristic unfairness—an unfairness which I suppose we may expect to be continued in the future—he has refused to me the ten or twelve minutes that I should have craved to refer to a villainous and barefaced forgery which appeared in *The Times* of this morning, obviously for the purpose of influencing the Division, and for no other purpose. I got up when the right hon. gentleman the member for Midlothian (Mr. Gladstone) sat down. I had not intended to have made a speech at all upon the second stage of this Bill. I should not have said more than a very few words in reference to this forgery; but I think I was entitled to have had from the right hon. gentleman an opportunity of exposing this deliberate attempt to blacken my character at some time when there would have been some chance of what I stated reaching the outside world. I say there is no chance now. I cannot suppose the right hon. gentleman, in refusing me the ten minutes which I crave, had not in his eye the design of practically pre-



venting my denial of this unblusing calumny having that effect upon public opinion which it would otherwise have had if it had been spoken at a reasonable hour of the night. It appears that, in addition to the passage of this Coercion Act, the dice are to be loaded—that your great organs of public opinion in this country are to be permitted to pay miserable creatures for the purpose of producing these calumnies. Who will be safe in such circumstances and under such conditions? I do not envy the right hon. gentleman the Chief Secretary for Ireland, this first commencement of suppression of defence—this first commencement of calumny and of forgery which has been made by his supporters. We have heard of the misdeeds of Mr. Ford, the editor of *The Irish World*, but Mr. Ford never did anything half so bad as this.

(Mr. A. J. Balfour—I do not wish to interrupt the hon. member; but as he makes these accusations, I should like to explain that I intervened between the hon. gentleman and the House simply because I understood that it had been arranged that I should follow the right hon. member for Midlothian, and that the hon. member would follow me. No hint reached me that he was going to confine himself to an explanation of, or deal at all with the accusation in *The Times* to which he has referred. No hint of that kind reached me, and I conceive that the hon. member might have risen, had he wished, at any time earlier in the evening.)

I was asked officially, at an early hour in the evening whether I would speak after the right hon. member for Midlothian, and I replied that I would, and that I only intended to say a few words in reference to this calumny.



I think I ought to have been given the opportunity which I desired.

Now, Sir, when I first heard of this precious concoction—I heard of it before I saw it, because I do not take in or even read *The Times* usually—when I heard that a letter of this description, bearing my signature, had been published in *The Times*, I supposed that some autograph of mine had fallen into the hands of some person for whom it had not been intended, and that it had been made use of in this way. I supposed that some blank sheet containing my signature, such as many members who are asked for their signature frequently send—I supposed that such a blank sheet had fallen into hands for which it had not been intended, and that it had been misused in this fashion, or that something of this kind had happened. But when I saw what purported to be my signature, I saw plainly that it was an audacious and unblushing fabrication. Many members of this House have seen my signature, and if they will compare it with what purports to be my signature in *The Times* of this morning, they will see that there are only two letters in the whole name which bear any resemblance to letters in my own signature as I write it. I cannot understand how the conductors of a responsible, and what used to be a respectable, journal, could have been so hoodwinked, so hoaxed, so bamboozled, and that is the most charitable interpretation which I can place on it, as to publish such a production as that as my signature, my writing. Its whole character is entirely different. I unfortunately write a very cramped hand; my letters huddle into each other. I write with very great difficulty and slowness.

It is, in fact, a labour and a toil to me to write anything at all. But the signature in question is written by a ready penman, who has evidently covered as many leagues of letter-paper in his life as I have yards. Of course, this is not the time, as I have said, to enter into full details and *minutiæ* as to comparisons of handwriting; but if the House could see my signature, and the forged, the fabricated one, they would see that, except as regards two letters, the whole signature bears no resemblance to mine.

The same remark applies to the letter. The letter does not purport to be in my handwriting. We are not informed who has written it. It is not alleged even that it was written by anybody who was ever associated with me. The name of this anonymous letter-writer is not mentioned. I do not know who he can be. The writing is strange to me. I think I should insult myself if I said—I think however, that I perhaps ought to say it, in order that my denial may be full and complete—that I certainly never heard of the letter. I never directed such a letter to be written. I never saw such a letter before I saw it in *The Times* this morning. The subject matter of the letter is preposterous on the surface. The phraseology of it is absurd—as absurd as any phraseology that could be attributed to me could possibly be. In every part of it, it bears absolute and irrefutable evidence of want of genuineness, and want of authenticity. Politics are come to a pretty pass in this country when a leader of a party of eighty-six members has to stand up, at ten minutes past one, in the House of Commons, in order to defend himself from an anonymous fabrication, such as that which

is contained in *The Times* of this morning. I have always held, with regard to the late Mr. Forster, that his treatment of his political prisoners was a humane treatment, and a fair treatment; and I think for that reason alone, if for no other, he should have been shielded from such an attempt as was made on his life by the Invincible Association. I never had the slightest notion in the world that the life of the late Mr. Forster was in danger, or that any conspiracy was on foot against him, or any other official in Ireland or elsewhere. I had no more notion than an unborn child that there was such a conspiracy as that of the Invincibles in existence, and no one was more astonished than I was when that bolt from the blue fell upon us in the Phoenix Park Murders. I knew not in what direction to look for this calamity. It is no exaggeration to say that if I had been in the Park that day I would gladly have stood between Lord Frederick Cavendish and the daggers of the assassins, and, for the matter of that, between their daggers and Mr. Burke, too.

Now, Sir, I leave this subject. I have suffered more than any other man from that terrible deed in Phoenix Park, and the Irish nation has suffered more than any other nation through it. I go for a moment to the noble Marquis, the member for Rossendale (the Marquis of Hartington). The noble Marquis made a rather curious complaint of me. He said that, having denied point-blank a charge that had been made by him against me and the National League during the General Election last year, he was rather surprised that I did not again refer to the matter in the House of Commons. Well, I was rather surprised that the noble Marquis made a charge which he advanced without a par-



ticle of truth. He advanced that charge again to-night without a particle of proof, and I deny that charge, as I denied it before, in point-blank terms. I said it was absolutely untrue to say that the Irish National League or the Parliamentary Party had ever had any communication whatever, direct or indirect, with a Fenian organisation in America or this country. I further said that I did not know who the leaders of the Fenian organisation in this country or America were. I say that still. But the noble Marquis says he knows who they are, at least he tells us that Mr. Alexander Sullivan—I believe that was the name mentioned—was president of the Clan-na-Gael, or Fenian organisation. When I asked him how he obtained his knowledge, he said that he obtained it from information he received as a member of Her Majesty's Government. That may be. But I am not in possession of the information with regard to the Clan-na-Gael which is possessed by the members of the present, or of the late Government. The Clan-na-Gael is a secret organisation ; it is an oath-bound organisation ; it gives no information with regard to its members to persons who are not members. I presume that the Government, if they obtained their information with regard to Alexander Sullivan, obtained it through their secret agents in America, through means which are not open to me in any capacity as a private person or a public politician. It is no answer to me to say that because the noble Marquis, a member of the late Government, with all the information obtainable by the wealth and resource of that Government at his disposal, believes Alexander Sullivan was a member and the leader of the Clan-na-Gael, or any secret organisation



in America that I should therefore know him to be so. I have never had any dealings with him, or anyone else, either in Ireland or America, in respect of doings or proceedings of any secret society whatsoever. All my goings on, and sayings and doings in Irish public life have been open and above board, and they have stood the test of the searching investigation of the three years' administration of the Crimes Act by Lord Spencer, who has left it on record that neither any of my colleagues nor myself were in any way connected with the commission of, or approving of the commission of, any crime. Here are Lord Spencer's words, spoken at Newcastle on the 21st of April, 1886 :—

“Foremost among the many objections are these :— It is said that you are going to hand over the government of Ireland to men who have encouraged—nay, some I have heard say even have directed—outrage and crime in Ireland. That is a very grave accusation. Now, I have been in a position, in my official capacity, to see and know nearly all the evidence that has been given in Ireland in regard to the murder and conspiracies to murder that took place in 1881 and 1882, and I can say, without doubt or hesitation, that I have neither heard nor seen any evidence of complicity with those crimes against any of the Irish representatives. It is right that I should clearly and distinctly express my condemnation of many of the methods by which they carried on their agitation. They often used language and arguments that were as unjustifiable as they were unfounded. They sometimes, perhaps from financial grounds, were silent when words would have been golden, when words might have had :

great influence on the state of the country. They might even have employed men for their own legitimate purposes who had been employed in illegal acts by others ; this I must say, but, on the other hand, I believe those men to have an affection for, and a real interest in, the welfare of their country. Their ability has been felt and acknowledged in the House of Commons by all Parties. I believe that, with full responsibility upon them, they will know that the only true way of obtaining the happiness and contentment of Ireland, is for the Government to maintain law and order, and defend the rights and privileges of every class and of every man in the country."

I cordially re-echo those words. I believe that they express the only real way of maintaining law and order in any country—that you must obtain from the majority of the people of the country sympathy towards the law, without which the maintenance of the law is impossible, that you must show the majority of the community that the law is not only made, but that it is also administered for their benefit, and fairly and justly to all classes. In this way, and in this way only, can be ever obtained respect and sympathy for law and order in Ireland, or anywhere else. The present Bill may put down crime, or it may increase crime. If it puts it down, it will not put it down by instilling into the minds of the people a sympathy for law and order. Crime will die out only as the effect of sullen submission. You will be no farther, after you have been administering your Crimes Act, in the direction of the real maintenance of law and order than you were at the beginning ; nay, not nearly so far. You are crushing by this iron Coercion Bill those beneficial symptoms in

Ireland which a Government of wise statesmen and wise administrators would cherish and foster. You are preventing that budding of friendship between the two countries which this generation, and I believe no other generation, would ever have witnessed in Ireland had it not been for the great exertions of the right hon. member for Midlothian. Who could have predicted, who would have ventured to predict, that the heat, the passion, the political antipathies engendered by the working of the Protection Act of 1881 and the Crimes Act of 1882, would have all disappeared in three or four short months, and that you would have had the English and the Irish people regarding each other as they did during that happy, that blessed period, but all this to be put an end to by the mad, the fatuous conduct of the present Government. You are going to plunge everything back into the seething cauldron of disaffection. You cannot see what the results of all this may be. We can only point to the experience of what has happened in past times. We anticipate nothing beneficial from this Bill, either to your country or to ours; and we should not be honest men if we did not warn you, with all the little force at our command, of the terrible dangers that may be before you.

I trust before this Bill goes into Committee, or at all events, before it leaves Committee, the great English people will make their voice heard, and impress upon their representatives that they must not go further with this coercive legislation. If this House and its majority have not sense enough to see this, the great heart of this country will see it, for I believe it is a great and

generous heart, that can sympathise even when a question is concerned in reference to which there have been so many political antipathies. I am convinced, by what I have seen of the great meetings which have been held over the length and breadth of England and Scotland, that the heart of your nation has been reached—that it has been touched, and though our opponents may be in a majority to-day, that the real force of public opinion is not at their back. A Bill which is supported by men, many of whom are looking over their shoulders and behind them, like the soldiers of an army which a panic is beginning to reach, to see which is their readiest mode of retreat, is not likely to get through the difficult times before it emerges from Committee. The result will be modifications of the provisions of the most drastic of the Coercion Acts ever introduced against Ireland since 1833. Do not talk to me of comparing the suspension of the Habeas Corpus Act with the present Bill. We have suffered from both. We have suffered from some of the provisions of the present Bill, as well as from the Habeas Corpus Suspension Act, and we are able to compare the one with the other; the suspension of the Habeas Corpus Act empowered you to arrest and detain in prison those whom you suspected; but it guaranteed them humane treatment, which did much to soften the asperities that otherwise would have been bred between the two nations. Your prisoners under the suspension of the Habeas Corpus Act were not starved and tortured as they will be under this. Your political prisoners were not put upon a plank bed, and fed on sixteen ounces of bread and water per day and compelled



to pick oakum, and perform hard labour, as they will be under this Bill. The Bill will be the means by which you will be enabled to subject your political prisoners to treatment in your gaols which you reserve in England for the worst of criminals, and it is idle to talk about comparison between the suspension of the Habeas Corpus Act, under which your prisoners were humanely treated—although imprisonment is hard to bear under the best circumstances; and provisions such as these where your political prisoners will be deliberately tortured, starved with hunger, and clammed with cold in your gaols. I trust in God, Sir, that this nation and this House may be saved from the degradation and the peril that the mistake of passing this Bill put them in.

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### DEBATE ON THE GOVERNMENT LAND PURCHASE BILL.

(House of Commons.—April 21, 1890.)

We do not fear the solution of the land question. We know that as you give independence and security to the Irish tenant, so his worth as an Irishman and as an Irish nationalist will be increased. We do not base our claim upon nationhood or the sufferings and calamities of our countrymen. We use these rather as illustrations of your incapacity to govern us, and to do justice from Westminster. But these things are not the foundation of Ireland's claim to her restitution of legislative independence. So far from the securing of the tenant in his holding, or the solution of the land

question preventing a settlement of the great National question, I am convinced that every injustice that is removed, every tenant who is secured in the future, increases the force of the great army which is arrayed on our side for the liberation of our country.

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AT WATERFORD.—January 28, 1891.

. . . You will get a Parliament of some kind or another, but the sort of Parliament that you get depends entirely on yourselves. . .

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AT LONGFORD.—February 22, 1891.

I took off my coat for the purpose of obtaining and consummating the future of Irish nationality. . .

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AT LISTOWEL.—September 13, 1891.

. . . . If I were dead and gone to-morrow, the men who are fighting against English influence in Irish public life would fight on still ; they would still be Independent Nationalists ; they would still believe in the future of Ireland a Nation ; and they would still protest that it was not by taking orders from an English Minister that Ireland's future could be saved, protected, or secured.

## MICHAEL DAVITT (1846-1906).

### AGAINST THE SOUTH AFRICAN WAR.

(October 25, 1899.)

A man of Davitt's strength and earnestness could never hope to become a parliamentarian: As Mr. Sheehy-Skeffington finely says in his graphic book, "Michael Davitt,"—"Nothing in his parliamentary life became him like the leaving of it," for this noble protest against the spoliation of two small nationalities was the last speech he addressed to the English House of Commons.

This is a war for the meanest and most mercenary of ends and aims which ever prompted conquest or aggression, and it will rank in history as the greatest crime of the nineteenth century. The hon. member for King's Lynn poured the vials of his wrath upon our heads on Monday evening because we voiced a sympathy, not with England, but with the Transvaal in this struggle; but how is national or political or human sympathy won or provoked in conflicts between nations?

Can it be said, for instance, with truth, that freedom, justice, or righteousness inspire your motives in waging this conflict? You say Yes; but the whole world says No. Who is the enemy you are going forth to crush?

Not one who threatens to invade England, not a power who menaces your liberties, not an equal or a match for

your giant strength, but a foe of your own blood and faith, your equal in courage, your superior in patriotism and in national virtue, and who has more claim upon your protecting arm than upon your oppression and vengeance. Why, then, should we sympathise with your action? You gladly took a king from the Dutch, and obtained thereby a revolution and constitutional Government.

Why do you now assassinate in the Transvaal the liberty which their ancestors helped to win for you? We Irish owe nothing to the Dutch, but what the hon. member for Belfast would call the glorious battle of the Boyne. We were on the wrong side then.

Mr. Wm. Johnston (Belfast S.)—"You are always on the wrong side."

Mr. Davitt—Possibly, when force and not reason determined the conclusion. We took the wrong side then, anyhow, and deservedly got licked for showing too much loyalty to England's legitimate king. Had the hon. Member for Belfast been present on that interesting occasion he would have been for the king, and I should probably be among the revolutionists. We are on the right side now, at any rate, though it may also be the losing side; but you stand to lose more by your victory if you gain than the Dutch race will have to pay for its defeat in this war. To say that because England goes to war Irishmen must back her; or become traitors is a monstrous proposition.

War, like any other transaction, must be judged on its merits, and support or opposition be determined by the right or the wrong involved.

I hold the Government have no divine commission



to knock the word "not" out of every one of the Ten Commandments. "Thou shalt not commit murder," "Thou shalt not steal," are as obligatory upon Cabinets as upon citizens, and to ask Irish Members to approve of this war and its main purposes would be akin to asking them to sympathise with an act of burglary which would also lead to the wholesale killing of those who would resist the crime. The hon. Member for King's Lynn in his virtuous wrath reminds me in this connection, but in this only, of a saying of the late Colonel Ingersoll of America, namely, "When England is mentioned in connection with one of her wars against small nations, in which she declares she has only humanity in view, she reminds me of a burglar wearing a white tie on his way to the scene of his philanthropy."

Sir, in conclusion, let me say that we Irishmen are compelled to give our sympathies to the Boers because they are absolutely in the right in heroically defending with their lives the independence of their country.

Such a defence has always commanded the admiration of unhampered minds in every struggle for liberty, for there is no nobler cause for which man can fight and die than the freedom of a nation.

England in this contest is the enemy of liberty; the Transvaal Republic is its champion and defender; and win or lose, the world will applaud the Boers and their just cause.

We on these benches know what our attitude on this war will mean, for the time being, to Home Rule.

Very well, so be it. But let me say this for myself in answer to this contention—Had I been offered, not Home

Rule only, but an Irish Republic by Her Majesty's Government on yesterday week, in return for one word or one vote in favour of this war to destroy the independence of the Republic of the Transvaal, I would speak no such word nor record any such vote.

Sir, I would not purchase liberty for Ireland at the base price of voting against liberty in South Africa.

Ireland may never win her liberty ; but still she may. Yet, I pray she never will at the price of dishonour ; and to help you in this war against the Transvaal, to wish you success in a fight with a brave foe a thousand times your inferior in strength and resources, but who fearlessly face you on your own battlefield in defence of their independence and their homes would be an infamy and a disgrace which no Home Rule, no freedom, depending on your promise or word, could ever obliterate or redeem. And now, sir, one word more and I have done. This, I hope, will be the last time I shall address this House. As a feeble but final protest against this infamous war, I shall ask the Chancellor of the Exchequer to-morrow to relieve me of further attendance here. Let me say in conclusion that I owe many personal courtesies to members on both sides of the House, and that they have treated with a good deal of good-natured toleration and fairness, even during this stormy session, the strong words which we Irish Members have felt it our duty to use against this war-policy, and I shall carry that recollection with me. I make no complaint of what has been said of me personally inside or outside this House. It is, of course, natural for Englishmen to feel sore at our attitude ; but for my part, I do not unsay or take back

a single syllable I have uttered in Ireland or in this Chamber in condemnation of this horrible business.. When I go I shall tell my boys, " I have been some five years in this House, and the conclusion with which I leave it is that no cause, however just, will find support ; no wrong, however pressing or apparent, will find redress here unless backed up by force." This is the message which I shall take back from this assembly to my sons.

## JOHN E. REDMOND (1851).

### IRISH NATIONAL CONVENTION IN CHICAGO.

(August 18, 1886.)

This speech has been quoted by Lord Russell of Killowen at the Parnell Commission as a proof that the Parliamentary Party were not connected with the physical force movement.

Selfishness and worldly interests all point to another course as the best ; but it is the undying glory of Ireland that her exiled sons, in the midst of prosperity, and in the light of liberty, have yet found time to absent themselves from felicity awhile to tell her story, and have made it a part of their daily life and nightly dream to help in working out her redemption.

The Irish soldier, whose sword was consecrated to the service of America, dreamed, as he went into battle, of the day when his arm, skilled in the service of his adopted country, might strike a blow for Irish liberty. The Irish business man, who found in one of your gigantic cities scope for his enterprise and for his industry, looked forward to the day when from his store help might go across the Atlantic to sustain Ireland's champions on the old sod. The Irish labourer, whose brawny arms have built your railroads and reared your stately palaces, in the midst of his labours laid aside his daily or weekly mite



to help those who were fighting, time after time, with one weapon or another, in the old cause against the old enemies of Ireland. Rich or poor, high or low, alike, the Irish in America have never forgotten the land whence they sprang, and our people at home, in their joys and their sorrows, in their hopes and in their fears, turn ever for help and encouragement and confidence to this great republic, upon whose fortunes and whose future rest to-day the blessings of the Irish race. To assist at this great convention of the Irish nation in America, especially to stand here as we do, as the ambassadors sent here to represent the Irish nation at home, is indeed a supreme honour which we can never over-estimate and can never forget.

The principle embodied in the Irish movement of to-day is just the same principle which was the soul of every Irish movement for the last seven centuries—the principle of rebellion against the rule of strangers; the principle which Owen Roe O'Neill vindicated at Benburb; which animated Tone and Fitzgerald, and to which Emmet sacrificed a stainless life. Let no man desecrate that principle by giving it the ignoble name of hatred of England. Race hatred is at best an unreasoning passion. I, for one, believe in the brotherhood of nations, and bitter as the memory is of past wrongs and present injustice inflicted upon our people by our alien rulers, I assert the principle underlying our movement is not the principle of revenge for the past, but of justice for the future. When a question of that principle arises there can be no such thing as compromise. The Irish leader who would propose to compromise the national claims of Ireland, who

would even incline for one second to accept as a settlement of our demand any concession short of the unquestioned recognition of that nationality which has come down to us sanctified by the blood and tears of centuries, would be false to Ireland's history and would forfeit all claims upon your confidence or support. Such a contingency can never arise, for the man who would be traitor enough to propose such a course would find himself no longer a leader. No man can barter away the honour of a nation. The one great principle of any settlement of the Irish question must be the recognition of the divine right of Irishmen, and Irishmen alone, to rule Ireland. This is the principle in support of which you are assembled to-day ; this is the principle which guides our movement in Ireland. But, consistently with that principle, we believe it is possible to bring about a settlement honourable to England and Ireland alike, whereby the wrongs and miseries of the past may be forgotten ; whereby the chapter of English wrongs and of Irish resistance may be closed ; and whereby a future of freedom and of amity between the two nations may be inaugurated.

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#### ON PARNELL.—FIFTEEN YEARS IN THE HOUSE OF COMMONS.

(November 29, 1896.)

The truth is, the English never understood Parnell. They never could fathom his aims and his policy. Though a man of strong passion, his outward demeanour was invariably cold and impassive. He seldom spoke once

he had risen to a commanding position in Parliament. When he did speak the silence which crept over the House was absolutely painful in its intensity. He had something of the quality which Coleridge attributed to the Ancient Mariner: "He held them with his glittering eye, they could not choose but hear." He was no orator in the ordinary acceptation of the phrase. Indeed he commenced his Parliamentary career as a halting speaker, with almost an impediment in his speech. As time went on it is true he spoke with ease and fluency, but the great quality of his oratory was its clearness, directness and terseness. "No man," said Mr. Gladstone of him, "is more successful in doing that which it is commonly supposed all speakers do, but which in my opinion few really do—namely, in saying what he means."

At one time Parnell was the most hated man in the House of Commons. At another he was probably the most powerful and respected.

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## IRELAND AND THE BOER WAR.

(February 7, 1900.)

The sympathy of Ireland is with the Boers. Why is this? On what foundation is it based? What is the explanation of it? I propose to answer shortly those questions.

It is true that wherever the Empire is involved in a difficulty or complication which diminishes its great

strength, a feeling of hope and satisfaction stirs through the veins of men of the Irish race both at home and abroad. This is a fact which stares you in the face, and it is folly to conceal it. It is one of those facts which statesmen should study and observe and try to understand. It is not our fault that it is a fact, but yours. It is the fault of the history which you and your predecessors have made.

Some day, not perhaps far off, in that Ireland which you are about to create for yourselves in South Africa, you may find white people rejoicing in the Empire's difficulties and sending messages of sympathy to your foes. I would urge this country, before it is involved more deeply in this ill-fated war, to endeavour to learn something from the history of your own experience in Ireland and the American colonies, and from contrasting the history of other great portions of the Empire, and to beware of pursuing to the bitter end the chapter which, whatever way the military operations may go, whether you succeed in this war, can only be a story of misfortune and disgrace. I admit in the frankest manner, that the feeling of the mass of the Irish people is hostile to the Empire. At this moment it would be hypocrisy for me to attempt to deny it, and it would be the utmost folly for you to attempt to minimise it.

I assert emphatically that the sympathies of the Irish people would be in precisely the same direction if England were not concerned in the matter at all. Our sympathies would be on the side of the independence of these Re-



publics, no matter what was the power that was attempting to act as the bully and the oppressor in South Africa.

Go back for a moment to the conflict which lost you America, and the memory of which is the real reason why to-day you cannot win the friendship and alliance of the United States. Go back to the history of that war. Who led the Opposition ; who inspired, who planned, who worked through steadfast years in opposition to that luckless war ? An Irishman, and in doing so he poured forth a wealth of political wisdom which has been the nourishment of your wiser statesmen ever since, and which if it could only be understood, and acted upon by your statesmen of to-day, would induce you even now to retrace your steps, and by an early peace to retrieve to some extent what I believe is the worst mistake of your Imperialism. Yes, Burke and Sheridan and Grattan and the mighty Irishmen of that day took precisely the same stand in that eventful controversy that we their humbler countrymen take to-day upon the question of this war. They had to face the self-same abuse, the same unstinted criticism that we have to do. But who in the world of politics dares to say now that they were not absolutely in the right ? No ; the organised and obstinate pride of the rulers of that day would not accept advice from the treacherous Irish members, and America was lost. In crises like this your best advisers have always been Irish statesmen and Irish soldiers. But you have always distrusted their advice, whether in the case of the present war or in other struggles. Had you taken the advice and heeded the warning of one who was your representative in South Africa until recently—I mean General Butler (who was

described as labouring under the disadvantage of being an Irishman and a Catholic), had you hearkened to his advice, instead of the advice of Sir Alfred Milner, you would not be the spectacle of humiliation before the civilised world which you now are. I say, therefore, that we arrive by quite a natural process at our sympathies with these Republics. How could it be otherwise? We would be stocks or stones if our admiration were not aroused by one of the finest spectacles that the world has witnessed since Thermopylæ—the resistance of these two little Republics to the most powerful Empire of modern times. I think I am speaking the sentiments of all generous-minded men in this House—no matter what view they take of the war—when I say that we admire the pluck and heroism of the old grey-bearded Boer side by side with the dauntless courage of the Boer of sixteen in the stand they have already made against this mighty Empire in defence of what they believe to be right. Do they surrender their independence without a struggle? Do the Free Staters, thinking only of their crops, abandon their brothers in the Transvaal? Had they done so we should all, without distinction of creed or party, have heartily despised them; and it seems to me that but for this bloody struggle the world would have been robbed of one of its most stirring episodes. I think the world at large owes a deep debt to these two little Republics for showing, in this degraded age, that there are other things to fight for than gold, and for which they are prepared to lay down their lives.

In conclusion, I cannot do better than say that we desire to put this case before the House with moderation,

but with clearness. We do not desire to be guilty of the hypocrisy of pretending that we are solely moved by the merits. While admitting frankly that in these cases we are prejudiced to a certain extent by an antecedent hostility, at the same time in most cases in the past we have been right, and in this case we have been undoubtedly influenced by the merits of the controversy. We ask you in time to reconsider your position. We believe you can do it without injury to yourselves, certainly with far less injury than must come to you if you persist in going on to the end of the chapter and imperilling the future of the white races in South Africa. We at any rate make our position perfectly clear. We are not influenced one whit by the odium that may come upon us because of our action. We know that we are a small minority in this House—possibly some people say a contemptible minority. We look back on the past, and we know that when Chatham and Burke were right in denouncing the American War they were in contemptible minorities, and were the objects of odium and misrepresentation. We know that when in the Crimean War John Bright attempted to stem the flood of war passion he was in a contemptible minority, and was a mark for odium and taunts. And we care still less for the threats of injury to the cause of Home Rule. We know that we are right, and are profoundly convinced that Ireland our country has nothing to lose, but has everything to gain, by raising her voice on the side of justice and liberty. I, therefore, beg to move the Amendment standing in my name

## EXCLUSION OF THE IRISH MEMBERS.

(March 7, 1901.)

I say that if you go on, if the House of Commons perseveres in its present course in this matter, the logical result, and the only logical result, is the disfranchisement of Ireland. I am not sure that that would not be far better. I am sure it would be a far honester system than the present one. As long as you deprive Ireland of the substance of constitutional government and preserve the empty form by bringing us here to this Parliament, where we are always in a permanent minority as compared with the representatives of another country and another nation—so long, Mr. Speaker, as that is the case, you will have in your midst a foreign element. There is something deeper in this matter than mere ebullitions of temper on the one side or mere new rules on the other. There is something deeper, something that goes right down to the bed-rock of this Irish question. The Irish Members, brought as they are to this House are a foreign element in this House. Just as in the human body the presence of a foreign substance is a constant source of irritation and a constant source of danger, so the presence of a foreign element in this Parliament is the same, because the foreign element is made up of a body of men who are with you but not of you ; a body of men to whom the ancient glories and the great traditions of this House have no meaning ; a body of men who regard this House and this Parliament simply as instruments for the oppression of their country ; and in dealing with such an element



I assert that no rules the wit of man can devise can possibly save your Parliament from being injured and degraded in the eyes of the world. Sir, that is the penalty that this country is paying to-day for the Union, and will continue to pay for it as long as it lasts. I say, therefore, that we treat the whole of these new rules with indifference and with contempt. I say that every such rule as you are proposing to-night is a weakening and degrading of your own Parliament, and the passing of every such rule as this, amounts to the turning, if I may say so, of a search-light upon the system of government in Ireland, which will expose the system to the knowledge and criticism of the nations of the world. It discloses to the world the fact that, with all your constitutional forms, you hold one portion of the so-called United Kingdom simply by brute force. I say to you, under these circumstances, speaking for myself, and I believe, for many, many Irish Members, go on with your new rule, suspend, expel, and imprison members, we will not be in the smallest degree deterred. So long as we are forced to come to this House to endeavour, in the midst of a foreign majority, to transact our Irish business, we will use every form of this House, every right, every privilege, every power which membership of this House gives us—we will use these things just as it seems to us to be best for Ireland, quite regardless of the opinion and so-called dignity of British Members and absolutely careless of the penalties you may devise for our punishment. In conclusion, I would only say that my own strong feeling is this, that if in your effort to hold Ireland, according to your present system of government, by force, you degrade and paralyse, and in

the end destroy, this famous Assembly, it will be but a just retribution upon you for the baseness and the cruelty with which you destroyed the free Parliament of the Irish people.

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## THE IRISH PROBLEM.

(February 19, 1906.)

Now, what is the Irish question? I say that it is the greatest of all Imperial questions which can concern, which can command, or ought to command, the attention of English statesmen. It is the most urgent of all Imperial questions. The present condition of Ireland is the greatest disgrace of this Empire; it is of the greatest danger to this Empire; it is the greatest obstacle to the efficiency of this Parliament—aye, and let me say to you English Members on the other side, who have come here filled with enthusiasm for English reforms, it is the greatest block in the way of those great social reforms for this country which are needed by the people. It means the existence at your doors here, at the very heart of your Empire, of an Ireland poverty-stricken and disaffected. Does anyone doubt that? And does anyone who recognises the fact doubt its meaning or minimise its consequences?

. . . . .

In Ireland it has declined, and is still declining. Listen to the figures: Since 1841 the population of Ireland has diminished by fifty per cent. In 1845 Ireland had three times as many people as Scotland, and half as many as England—Ireland, in fact, had one-third of the whole

population of the United Kingdom ; but in sixty years the population of Ireland had gone down by 4,000,000. Is there in the whole world a parallel to that awful tragedy ? We in Ireland have emerged within the last few weeks—I hope for ever—from what Lord Salisbury called twenty years of resolute government. In those twenty years the population of Ireland went down by almost 1,000,000. And what was the character of the emigration ? Sir, that is a greater tragedy still. Ninety per cent. of those who have emigrated from Ireland have been between the ages of ten and forty-five. That means that it is those who are in the prime of life who are leaving the country, and accounts for the fact which English tourists always notice—that there are more little children and more old men and women to be seen in Ireland than in any other country in Europe. And of the ninety per cent., how many of them remain in Europe at all ? Every man who emigrates from Ireland is lost, not only to Ireland, but to the Empire ; eighty-seven per cent. of the whole emigration from Ireland goes to the United States—that is to say, young men and young women, physically and mentally vigorous, not only are lost to Ireland, but are lost to the Empire, and constitute a power in America, as everyone acquainted with the circumstances knows, which is a danger to this country, and which most undoubtedly is the chief barrier in the way of a permanent amicable understanding between America and England.

They may mean a little, and they may mean a great deal, but the fact that they are vague, throws upon me, as I conceive it, the duty of reiterating in this House

once again the position of the Irish party upon this question of National Self-government. Our attitude has not changed by one hair's breadth during the past twenty-five years. We have been sent to this House, and come here year after year, not to obtain little bits of amelioration for the lot of the Irish people in this particular or that. We have taken all that came our way, not merely because these things seemed to us good in themselves, but because we believed that everything which tended to make prosperous the lot of the people in Ireland and to alleviate the condition of the people was a strengthening of their political power to obtain National Self-government in the end. We did not come for the purpose of obtaining these things ; we came here to obtain the freedom of our country. And, Mr. Speaker, we are to-day of the same opinion that we always were, that the Irish question can never be satisfactorily or finally settled except by the concession to Ireland of a Parliament and an Executive responsible to it.

Sir, in conclusion, one word more—one only. Once again Ireland has lifted her head—that head so long bowed in sorrow and almost in despair. Once again the hope of a better day, of a coming day of justice, of liberty, and at least of comparative prosperity is pulsing through her veins. God grant, for her sake, but equally for yours, that that hope be not disappointed.



## ENGLISH GOVERNMENT IN IRELAND

(February 12, 1907.)

I remember, in 1886, Mr. Gladstone, in one of those great and inspired speeches of his upon the Irish question, speaking of that time as "one of those golden moments in our history; one of those opportunities which may come or may go, but which rarely return, or, if they return, return at long intervals, and in circumstances which no man can forecast. There have been several such golden moments, even in the tragic history of Ireland. The long periodic time has once more run out, and again the star is mounted in the heavens." Twenty years ago the cup of hope and comfort was rudely dashed from Ireland's lips. Now, for my part, I believe, in the words of Mr. Gladstone, that the star has once again risen in the heavens, and that again the golden opportunity has arisen for English statesmanship. Don't, I beg of you, palter with this question of life and death; don't, I beg of you, trifle with a desperate case; don't merely "skin and film the ulcerous place." The disease of Ireland is deep-seated. The time is long past for the use of palliatives. Every remedy has been tried except trusting the people. You have tried force in all its forms—on the scaffold and in the prison cell. You have had your twenty years of resolute government for which Lord Salisbury asked. You have tried conciliation and reform. Your conciliation has always been ignorant and blundering, and your reform has always been too late. Further, you have sent to Ireland from time to time the very best men you have.

Take the list of statesmen who have gone to Ireland in the last one hundred years ; you will find in that list the names of almost every great man in your history ; one after another they have been sent to Ireland. They have all come back and told you they have failed, and many of them have told you also that their task was hopeless, and that the only chance of good government in Ireland was in some measure or other to trust the people

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## HOME RULE RESOLUTION.

(March 30, 1908.)

Yes, those are two of the great gifts of freedom, the power to develop and the power to heal. These are the gifts that we are asking for Ireland, the power to develop for ourselves, in our own way, our own qualities ; the power to develop for ourselves the resources of our own country ; the power to strike off the minds of the youths of Ireland the chains that are there to-day, to free their hands and to enable them to develop their own characters and the resources of their own country. Whenever Ireland had that power, Ireland prospered ; when she lost that power Ireland declined. During the history of Grattan's Parliament, Irish industries, which had been deliberately and ruthlessly destroyed by the action of the English Parliament, had begun to revive, and then to flourish, but from the moment that the Union was carried that development was arrested, stagnation and decay came down like a poisonous mist over the land, and to-day Ireland, which is by nature a rich and

fertile island, lags miserably behind in the hindmost rank of the progress of the world. We ask from you power to develop, we ask also the power to heal. There are many wounds to be healed in Ireland, and it may be said that although the wounds inflicted by this country in the past have been many and grievous, yet probably the deadliest wounds have been those inflicted by race or class hatred, and the religious dissensions of Ireland's own sons themselves. My answer to that is that every class hatred in Ireland, every discord, every feud has its origin in the past history of the government of Ireland by England. Give us the power to heal those feuds. Ireland herself alone can do it. So long as English ascendancy is associated with one creed in Ireland, with one class, and with one party, so long will the healing of these wounds be absolutely impossible. It was the same in Canada. But, in consequence of the enlightened statesmanship of Lord Durham and the statesmen of that day, the blessed influence of freedom came along and united warring races and creeds. So will it be in Ireland, and all we ask from you, all I ask in this Resolution, is this : That what you have done for Frenchmen in Quebec, what you have done for Dutchmen in the Transvaal, you should now do for Irishmen in Ireland. In other words, you should trust the people, and the moment you do it, I believe in my heart and conscience, there and then, once and for all, you will have ended the blackest chapter in the history of your country.

## AT THE DECLARATION OF WAR.

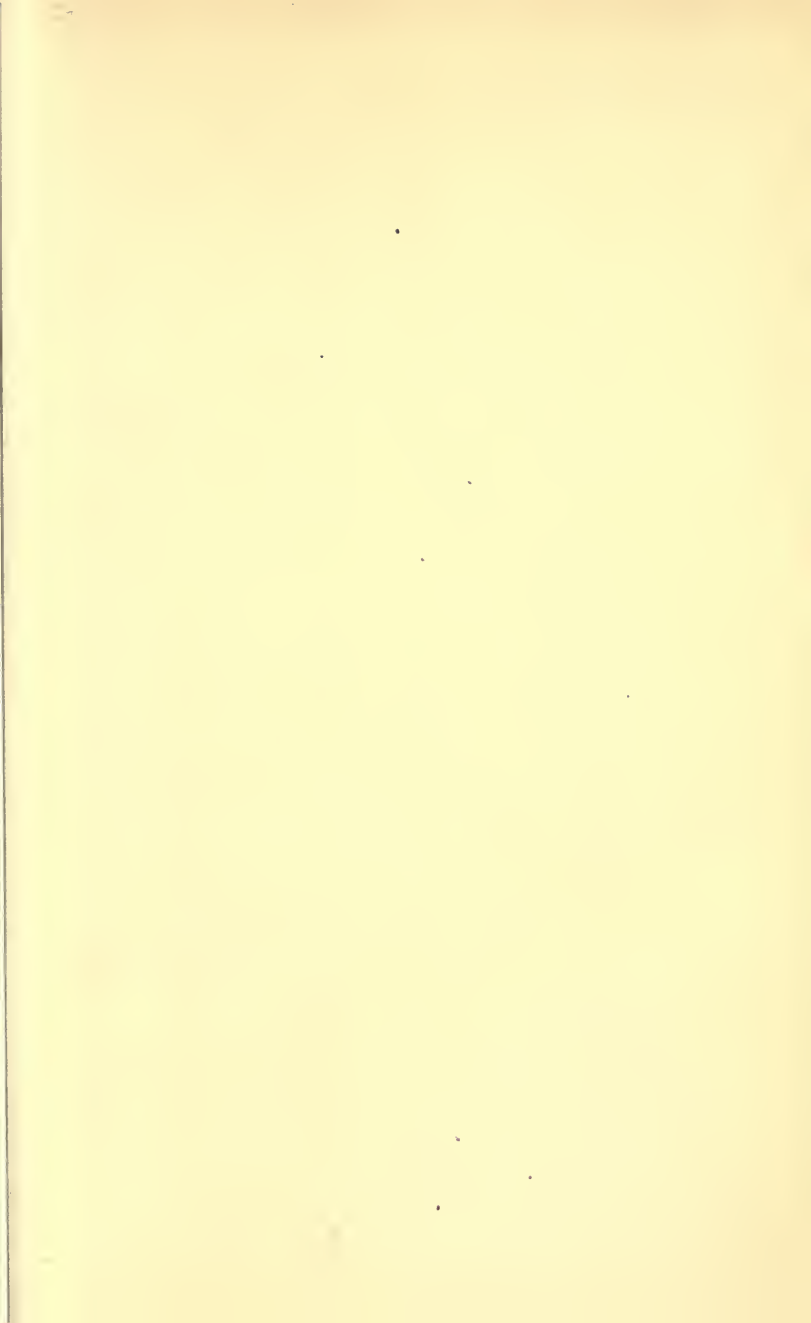
(August 3, 1914.)

I hope the House will not consider it improper on my part, in the grave circumstances in which we are assembled, if I intervene for a very few moments. I was moved a great deal by that sentence in the speech of the Secretary of State for Foreign Affairs in which he said that the one bright spot in the situation was the changed feeling in Ireland. In past times, when this Empire had been engaged in these terrible enterprises, it is true—it would be the utmost affectation and folly on my part to deny it—the sympathy of the Nationalists of Ireland, for reasons to be found deep down in the centuries of history, has been estranged from this country. Allow me to say, Sir, that what has occurred in recent years has altered the situation completely. I must not touch, and I may be trusted not to touch, on any controversial topic; but this I may be allowed to say, that a wider knowledge of the real facts of Irish history has, I think, altered the views of the democracy of this country towards the Irish question, and to-day I honestly believe that the democracy of Ireland will turn with the utmost anxiety and sympathy to this country in every trial and every danger that may overtake it. There is a possibility, at any rate, of history repeating itself. The House will remember that in 1778, at the end of the disastrous American War, when it might, I think, truly be said that the military power of this country was almost at its lowest ebb, and when the shores of Ireland were threatened with foreign invasion, a body of 100,000 Irish Volunteers



sprang into existence for the purpose of defending her shores. At first, no Catholic—ah ! how sad the reading of the history of those days is !—was allowed to be enrolled in that body of Volunteers, and yet, from the very first day, the Catholics of the South and West subscribed money and sent it towards the arming of their Protestant fellow-countrymen. Ideas widened as time went on, and finally the Catholics in the South were armed and enrolled with their fellow-countrymen of a different creed in the North. May history repeat itself to-day. There are in Ireland two large bodies of Volunteers. One of them sprang into existence in the South. I say to the Government that they may to-morrow withdraw every one of their troops from Ireland. I say that the coast of Ireland will be defended from foreign invasion by her armed sons, and for this purpose armed Nationalist Catholics in the South will be only too glad to join arms with the armed Protestant Ulsterman in the North. Is it too much to hope that out of this situation there may spring a result which will be good, not merely for the Empire, but good for the future welfare and integrity of the Irish nation ? I ought to apologise for having intervened, but while Irishmen generally are in favour of peace, and would desire to save the democracy of this country from all the horrors of war ; while we would make every possible sacrifice for that purpose, still, if the dire necessity is forced upon this country, we offer to the Government of the day that they may take their troops away, and that if it is allowed to us, in comradeship with our brethren in the North, we would ourselves defend the coasts of our country.

J



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